Washington, Saturday, March 14, 1953

# TITLE 5—ADMINISTRATIVE **PERSONNEL**

# Chapter I—Civil Service Commission

PART 6-EXCEPTIONS FROM THE COMPETITIVE SERVICE

# TREASURY DEPARTMENT

Effective upon publication in the FED-ERAL REGISTER, subparagraph (3) is added to § 6.103 (c) as follows:

§ 6.103 Treasury Department \* \* \* (c) Office of the Under Secretary.

(3) One Assistant to the Secretary and Supervisor, Analysis Staff.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR. 1947 Supp. E. O. 9973, June 28, 1948, 13 F. R. 3600; 3 CFR 1948 Supp.)

United States Civil Serv-ICE COMMISSION, [SEAL] C. L. EDWARDS. Executive Director.

[F. R. Doc. 53-2286; Filed, Mar. 13, 1953; 8:47 a. m.]

> PART 6-EXCEPTIONS FROM THE COMPETITIVE SERVICE

# BUREAU OF CUSTOMS

Effective upon publication in the Feb-ERAL REGISTER, subparagraph (2) is added to § 6.103 (f) as follows:

§ 6.103 Treasury Department. \* \* \* (f) Bureau of Customs. \* \* \*

(2) Commissioner of Customs.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR, 1947 Supp. E. O. 9973, June 28, 1948, 13 F. R. 3600; 3 CFR, 1948 Supp.)

United States Civil Serv-ICE COMMISSION, [SEAL] C. L. EDWARDS,

Executive Director

[F. R. Doc. 53-2306; Filed, Mar. 13, 1953; 8:51 a. m.1

# TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 52-PROCESSED FRUITS AND VEGE-TABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

SUBPART B-UNITED STATES STANDARDS GRADES OF FROZEN SQUASH (SULIMER TYPE)

Editorial Note: Due to an incorrect certified copy, the following change should be made in F R. Doc. 53–1942, appearing at page 1182 of the issue for Tuesday, March 3, 1953:

In the fourth line of § 52.651 (e) (2) (iii) (b), the word "or" should read "of"

PART 55-SAMPLING, GRADING, GRADE LABELING, AND SUPERVISION OF PACK-AGING OF EGGS AND EGG PRODUCTS

# MISCELLANEOUS AMENDMENTS

Notices of proposed amendment to the regulations governing the sampling, grading, grade labeling, and supervision of packaging of eggs and egg products (7 CFR Part 55) were published in the FEDERAL REGISTER on July 30, 1952, and January 6, 1953 (17 F. R. 69641, 18 F. R. 117) The amendment hereinafter promulgated is pursuant to authority contained in the Department of Agriculture Appropriation Act, 1953 (Pub. Law 451, 82d Cong., approved July 5, 1952)

The amendment grants the Administrator greater discretion in the rejection of applications for grading or inspection service and for the denial thereof to persons presently receiving the service, and also provides authority for the issuance of graders' licenses at the field level.

In addition, the amendment increases the fees for laboratory analyses of egg products and for grading shell eggs pursuant to legislation authorizing the performance of these services on a self-supporting basis and the increased fees which are set forth herein are necessary in order to defray the increased costs of rendering the services. The fees speci-

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# **CFR SUPPLEMENTS**

(For use during 1953)

The following Supplements are now available:

Title 24 (\$0.65)

Title 25 (\$0.40)

Previously announced: Title 3 (\$1.75); Title 9 (\$0.40); Titles 10—13 (\$0.40); Title 17 (\$0.35); Title 18 (\$0.35); Title 49: Parts 71 to 90 (\$0.45)

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fied in the amendment are the same as those published under notice of rule making with the exception that a fee of \$2.00 for a solids determination on an individual sample has been added.

After consideration of all relevant matters presented including the proposals set forth in the aforesaid notices, the amendment hereinafter set forth is promulgated to become effective April 1, 1953, following publication in the Federal Register.

It is hereby found that it is impractical, unnecessary, and contrary to public interest to postpone the effective date of this amendment for 30 days after publication in the Federal Register for the reasons that (1) legislation requires that the fees charged shall cover the cost of the service and the fees set forth herein are necessary to cover such costs, (2) the provisions pertaining to countersigning licenses will not affect the industry, (3) the provisions regarding the denial of service are intended to protect the integrity of, and public confidence in, the service and any delay in the effective date of this amendment would not be in the best public interest, and (4) additional time is not required in order for the industry to make preparation for compliance with this amendment.

The amendment is as follows:

1. Amend § 55.11 When application may be rejected to read as follows:

§ 55.11 When application may be regected. Any application for grading service, inspection service, or sampling service may be rejected by the Administrator (a) whenever the applicant fails to meet the requirements of the regulations prescribing the conditions under which the service is made available; (b) whenever the product is owned by or located on the premises of a person currently denied the benefits of the act; (c) where any individual holding office or a responsible position with or having a substantial financial interest or share in the applicant is currently denied the benefits of the act or was responsible in whole or in part for the current denial of the benefits of the act to any person; or (d) where he determines that the application is an attempt on the part of a person currently denied the benefits of the act to obtain grading or inspection service. Each such applicant shall be promptly notified by registered mail of the reasons for the rejection. A written petition for reconsideration of such rejection may be filed by the applicant with the Administrator if postmarked or delivered within 10 days after the recent of notice of the rejection. Such petition shall state specifically the errors alleged to have been made by the Administrator in rejecting the application. Within 20 days following the receipt of such a petition for reconsideration, the Administrator shall approve the application or notify the applicant by registered mail of the reasons for the rejection thereof.

- 2. Amend § 55.33 Who may be licensed to read as follows:
- § 55.33 Who may be licensed. (a) Any person who is a Federal or State employee possessing proper qualifications as determined by an examination for com-

petency and who is to perform service pursuant to this part may be licensed by the Secretary as a grader, inspector, sampler or supervisor of packaging

sampler, or supervisor of packaging.

(b) Any prospective licensee other than a Federal or State employee possessing proper qualifications as determined by an examination for competency and who is to perform service pursuant to this part may be licensed by the Secretary as a grader, inspector, sampler, or supervisor of packaging. However, prior to the granting of the license he shall procure and deliver to the Administration a surety bond issued by such surety as may be approved by the Administrator, in the amount of \$1,000 for the proper performance of the duties of such licensee under this part.

(c) All licenses issued by the Secretary are to be countersigned by the officer in charge of the poultry grading and inspection service of the Administration or by any other official of such service

designated by such officer.

3. Amend § 55.34 Limited license may be usued to read as follows:

§ 55.34 Limited license may be issued. To any person possessing proper qualifications, as determined by the Administrator, there may be issued a limited license by the Secretary to perform the following functions: (a) To candle and grade eggs on the basis of Official United States Standards for Quality of Individual Shell Eggs with respect to eggs purchased from producers or eggs to be packaged with official identification, and (b) to inspect liquid and frozen eggs that are produced under the supervision of an inspector. No person to whom a limited license is issued by the Secretary shall have the authority to issue any grading certificate; and all eggs (whether shell, liquid, or frozen) which are graded and inspected by any such person shall thereafter be check-graded and checkinspected by a grader or inspector. All limited licenses, issued by the Secretary, are to be countersigned by the officer in charge of the poultry grading and inspection service of the Administration or by any other official of such service designated by such officer.

- 4. Amend § 55.41 Fees for additional copies of grading certificates, to read as follows:
- § 55.41 Fees for additional copies of grading certificates. Additional copies of any grading certificates, other than those provided for in § 55.20, may be supplied to any interested party upon payment of a fee of \$1.50 for each set of five or fewer copies.
- 5. Amend paragraph (a) Shell Eggs, of § 55.43 Egg grading and inspection fees, to read as follows:
  - (a) "Shell eggs.

FCC
\$1.80
3.00
3.00
5.50
7.50
9.00
11.00
15.00
1.80

- 6. Amend § 55.44 Fees for laboratory analyses, to read as follows:
- § 55.44 Fees for laboratory analyses.
  (a) For each of the following laboratory analyses the fee referable thereto shall be applicable except as otherwise stated in paragraph (b) of this section:

(1) Dried whole eggs. FeeFat \_\_\_\_\_\_ 2.50
Solubility \_\_\_\_\_\_ 75
Palatability and odor: First cample\_\_\_\_\_ ..... 1.50 Each addition cample\_\_\_\_\_ (2) Dried yolks. Solids \_\_\_\_\_ \$1.50 Fat \_\_ Sugar \_\_\_\_ Palatability and odor: (3) Dried albumen. 

 Solids
 \$1.50

 Particle size
 75

 Whipping test
 1.60

 Meringue
 1.50

 (4) Frozen whole eggs. Solids \$1.50 Fat \_\_\_\_\_\_ 2.50

(5) Frozen whites.

 Solids
 91.50

 Fat
 2.50

 Whipping test
 1.00

 Meringue
 1.59

 (6) Frozen yolks.

 Solids
 \$1.50

 Fat
 2.50

 Sugar
 3.50

 (7) Bacteriological analyses and spec 

ified determinations with respect to products listed in subparagraphs (1)

Color \_\_\_\_\_ 1.50

(b) Other fees for specified individual tests and services: The fees specified in this paragraph are applicable for individual tests for one factor only on a particular sample of egg products.

	Fee
Eolids	\$2.00
Bacteriological plate count	1.75
Bacteriological direct count	1.50
Yeast and mold count	1.50
Presumptive E. Coll	2.00
Sediment	1.00
Extraneous material	2.00
Color	1.75
pH	75
Palatability and odor	1.50
Presumptive colliform count (solid	
media)	1.80

- 7. Amend § 55.56 Fraud and misrepresentation, to read as follows;
- § 55.56 Denial of service. (a) The following acts or practices may be deemed sufficient cause for the debarment of any person by the Administrator from any or all benefits of the act for a specified period, after notice and opportunity for hearing has been accorded him:
- him:
  (1) Misrepresentation, deceptive, or fraudulent acts or practices. Any wil-

ful misrepresentation or any deceptive or fraudulent act or practice found to be made or committed by any person in connection with:

(1) The making or filing of any application for any grading service, inspection service, or sampling service, appeal or regrading service;

(ii) The making of the product accessible for sampling, grading, or

inspection:

(iii) The use of any grading certificate or inspection certificate issued pursuant to the regulations in this part or the use of any official stamp, label, or identification;

(iv) The use of the terms "United States," or "U. S." in conjunction with

the grade of the product;

(v) The use of any of the aforesaid terms or an official stamp, label, or identification in the labeling or advertising

of any product; or
(vi) The use of the terms "Government graded," "Federal-State graded,"
"U. S. inspected," "Government inspected," or terms of similar import in the
labeling or advertising of any product.

labeling or advertising of any product.
(2) Use of facsimile forms. The unauthorized use of a form which simulates in whole or in part any official certificate, stamp, label, or identification authorized to be issued or used under the regulations in this part to evidence the inspection or grade of any product.

(3) Wilful violation of the regulations. Any wilful violation of the regulations in

this part.

(4) Interfering with a grader or inspector Any interference with or obstruction of any grader or inspector in the performance of his duties by intimidation, threat, bribery, assault or any other improper means.

(5) Misleading labeling. The use of the terms "Government graded," "Federal-State graded," or terms of similar import in the labeling of any product without stating in the label the U. S. grade of the product as determined by an authorized grader.

(6) Miscellaneous. The existence of any of the conditions set forth in § 55.11 constituting a basis for the rejection of an application for grading or inspection service.

(b) Whenever the Administrator has reason to believe that any person, or his employee, agent, or representative has flagrantly or repeatedly committed any of the acts or practices specified in paragraph (a) of this section, he may without hearing, direct that the benefits of the act be denied such person pending investigation and hearing and shall give notice thereof by registered mail. A written petition for reconsideration of such interim denial may be filed with the Administrator by any person so denied the benefits of the act if postmarked or delivered within 10 days after notice of the interim denial. Such petition shall state specifically the errors alleged to have been made by the Administrator in denying the benefits of the act pending investigation and hearing. Within 20 days following the receipt of such a petition for reconsideration, the Administrator shall reinstate the benefits of the act or notify the petitioner by registered mail of the reasons for continued interim denial.

8. Delete § 55.59 Interfering with a grader inspector or sampler

9. Renumber and change the title of \$ 55.60 and \$ 55.61 to read as follows: "\$ 55.59 Publications" and "\$ 55.60 Identification."

(Pub. Law 451, 82d Cong.)

Issued at Washington, D. C., this 11th day of March 1953.

[SEAL]

EZRA TAFT BENSON, Secretary.

[F. R. Doc. 53-2308; Filed, Mar. 13, 1953; 8:51 a. m.]

# Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Tangerine Reg. 136]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

# LIMITATION OF SHIPMENTS

§ 933.621 Tangerine Regulation 136— (a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines, grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the Federal Register (60 Stat. 237-5 U.S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective m order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than March 16, 1953. Shipments of tangerines, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until March 16, 1953; the recommendation and supporting information for continued regulation subsequent to March 15 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on March 10; such meeting was held to consider recommendations for

regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time of this section, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangerines; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date of this section.

(b) Order (1) During the period beginning at 12:01 a.m., e. s. t., March 16, 1953, and ending at 12:01 a.m., e. s. t., July 31, 1953, no handler shall ship:

(i) Any tangerines, grown in the State of Florida, that do not grade at least

U.S. No. 2 Russet.

(2) As used in this section, "handler," "ship," and "Growers Administrative Committee" shall have the same meaning as when used in said amended marketing agreement and order; and "U. S. No. 2 Russet," shall have the same meaning as when used in the revised United States Standards for Florida Tangerines (§ 51.417 of this title; 17 F. R. 8377)

(Sec. 5, 49 Stat. 753, as amended; 7 U.S. C. and Sup. 608c)

Done at Washington, D. C., this 12th day of March 1953.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Marketing Administration.

[F. R. Doc. 53-2346; Flied, Mar. 13, 1953; 8:45 a. m.]

[Grapefruit Reg. 178]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.622 Grapefruit Regulation 178—
(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933) regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby—found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2). It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication in

the Federal Register (60 Stat. 237: 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective m order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than March 16, 1953. ments of grapefruit, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until March 16, 1953; the recommendation and supporting information for continued regulation subsequent to March 15 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on March 10; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time of this section, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; and compliance with this section will not-require any special preparation on the part of persons subject thereto which cannot be completed by the effective time of this section.

(b) Order (1) During the period beginning at 12:01 a.m., e. s. t., March 16, 1953, and ending at 12:01 a.m., e. s. t., March 30, 1953, no handler shall ship:

(i) Any white seeded grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 1 Russet;

(ii) Any pink seeded grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 2;

(iii) Any seedless grapefruit, grown in "Regulation Area II," which do not grade at least U. S. No. 2 Russet;

(iv) Any white seedless grapefruit, grown in "Regulation Area I," which do not grade at least U. S. No. 2;

(v) Any pink seedless grapefruit, grown in "Regulation Area I," which do not grade at least U. S. No. 2 Russet;

(vi) Any seeded grapefruit, other than pink grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 70 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(vii) Any pink seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(viii) Any white seedless grapefruit, grown in "Regulation Area I," that grade U. S. No. 2 or U. S. No. 2 Bright which are (a) of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box, or (b) of a size larger than a size that will pack 64 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(ix) Any white seedless grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(x) Any pink seedless grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 112 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(2) As used in this section, "handler," "variety," "ship," "Regulation Area I," and "Regulation Area II", shall have the same meaning as when used in said amended marketing agreement and order; and "U. S. No. 1 Russet," "U. S. No. 2," "U. S. No. 2 Russet," "standard pack," and "standard nailed box" shall have the same meaning as when used in the revised United States Standards for Florida Grapefruit (§ 51.193 of this title; 17 F. R. 7408)

(Sec. 5, 49 Stat. 753, as amended; 7 U.S. C. and Sup. 608c)

Done at Washington, D. C., this 12th day of March 1953.

ISEAL S. R. SMITH,

Director, Fruit and Vegetable

Branch, Production and Mar
keting Administration.

[F. R. Doc. 53-2344; Filed, Mar. 13, 1953; 8:45 a. m.]

# [Orange Reg. 233]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

# LIMITATION OF SHIPMENTS

§ 933.623 Orange Regulation 233—(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication

thereof in the Federal Register (60 Stat. 237; 5 U.S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than March 16, 1953. Shipments of oranges, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until March 16, 1953; the recommendation and supporting information for continued regulation subsequent to March 15 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on March 10; such meeting was held to consider recommendations for regulation. after giving due notice of such meeting. and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time of this section, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of oranges; and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time of this section.

(b) Order (1) During the period beginning at 12:01 a.m., e. s. t., March 16, 1953, and ending at 12:01 a.m., e. s. t., March 30, 1953, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in the State of Florida, which do not grade at least U. S. No. 1 Russet; or

(ii) Any oranges, except Temple oranges, grown in the State of Florida, which are of a size smaller than a size that will pack 288 oranges, packed in accordance with the requirements of a standard pack in a standard nailed box.

(2) As used in this section, the terms "handler," "ship," and "Growers Administrative Committee" shall each have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 1 Russet," "standard pack," "container" and "standard nailed box" shall each have the same meaning as when used in the revised United States Standards for Florida oranges (§ 51.302 of this title; 17 F. R. 7879).

(3) Shipments of Temple oranges, grown in the State of Florida, are subject to the provisions of Orange Regulation 225 (7 CFR 933.596; 17 F. R. 10438)

(Sec. 5, 49 Stat. 753, as amended; 7 U.S. C. and Sup. 608c)

Done at Washington, D. C., this 12th day of March 1953.

L] S. R. SMITH, Director Fruit and Vegetable [SEAL] Branch, Production and Marketing Administration.

[F. R. Doc. 53-2345; Filed, Mar. 13, 1953; 8:45 a. m.]

# [Lemon Reg., 476]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

# LIMITATION OF SHIPMENTS

§ 953.583 Lemon, Regulation 476-(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F R. 3612) regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agree-ment Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the Federal Register (60 Stat. 237. 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted. under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as heremafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified in this section was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on March 11, 1953: such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time of this section.

(b) Order (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P s. t., March 15, 1953, and ending at 12:01 a. m., P s. t., March 22, 1953, 1s hereby fixed as follows:

(i) District 1. Unlimited movement:

(ii) District 2: 250 carloads;(iii) District 3: Unlimited movement. (2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base

schedule which is attached to Lemon Regulation 475 (18 F. R. 1311) and made a part hereof by this reference.

(3) As used in this section, "handled." "handler," "carloads," "prorate base," "District 1," "District 2," and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended: 7 U.S. C. and Sup. 608c)

Done at Washington, D. C., this 12th day of March 1953.

[SEAL] S. R. SMITH, Director Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 53-2377; Filed, Mar. 13, 1953; 8:45 a. m.]

PART 988-MILK IN THE KNOXVILLE, TENNESSEE, MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED. REGULATING HANDLING

§ 988.0 Findings and determinations. The findings and determinations heremafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order: and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) Findings upon the basis of the hearing record. Pursuant to the provisions of the Agriculture Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) a public hearing was held upon proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Knoxville, Tennessee, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as amended and as hereby further amended, and all of the terms and conditions of said order as amended and as hereby further amended, will tend to effectuate the

declared policy of the act;

(2) The parity prices of milk produced for sale in the said marketing area as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for such milk, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a

hearing has been held.

(b) Additional findings. It is necessary, in the public interest, to make this order, amending the order, as amended, affective at the earliest possible date. Any delay in the effective date of this order would result in disorder in the marketing of milk. Most handlers in the Knoxville market are unable to process milk in excess of that required to carry on their fluid milk operations. Unless provision is made for lower prices on milk that must be transferred to manufacturing outlets, handlers will refuse to accept substantial quantities from producers as production increases seasonally. The producers' cooperative association has no facilities for handling milk and no outlets are available to them for diverting milk directly from the farm. In order to provide an outlet for this milk and stabilize the market, it is necessary to make this amendment effective at once.

The provisions of the said order are known to handlers, having been published in a decision which appeared in the Federal Register March 11, 1953 (18 F R. 1402) The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. It is hereby found, therefore, that good cause exists for making this order effective March 14, 1953. (Sec. 4 (o); Ad-ministrative Procedure Act, 5 U. S. C.

1001 et. seq.)

(c) Determinations. It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order, amending the order, as amended, which is marketed within the Knoxville. Tennessee, marketing area) of more than 50 percent of the milk which is marketed within the said marketing area. refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of the order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored at least two-thirds of the producers who, during the determined representative period (December 1952) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof; the handling of milk in the Knoxville, Tennessee, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

- Add the following proviso to § 988.51
   "Provided, That during the delivery periods from the effective date of this amendment through August 1953 the price-per hundredweight for all milk received at a fluid milk plant and transferred as milk to a non-fluid milk plant, for condensing or for cheese utilization, or diverted direct from the farm to such outlets by a cooperative association, shall be the price computed above less 20 cents and an allowance of \$0.00187 per hundredweight for each mile of such distance, by shortest highway route, between the City Hall at Knoxville. Tennessee, and the non-fluid milk plant but not to exceed 35 cents; And provided further That the price per hundredweight of all milk, used to produce butter, and the skim milk of which is dumped or disposed of for livestock feed. during such delivery periods, shall be computed as follows: Multiply by 4.0 the arithmetical average of daily wholesale prices per pound of 90-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period, add 15 percent thereof, and then deduct 35 cents."
- 2. Delete the period at the end of § 988.52 (b) and add the following proviso: "Provided, That during the delivery periods from the effective date of this amendment through August 1953, the butterfat differential to handlers on all milk used to produce butter during such delivery periods, shall be calculated by dividing the price computed for such use as set forth in § 988.51 (b) by 40."
- 3. Delete § 988.72 (d) and substitute therefor the following:
- (d) Compute the value on a 4.0 percent butterfat basis of the aggregate quantity of excess milk for all handlers included in the computation pursuant to paragraph (a) of this section by multiplying the hundredweight of such milk not in excess of the total quantity of Class II milk included in such computation by the applicable prices for such Class II milk of 4.0 percent butterfat content beginning in series with the lowest price for Class II milk of 4.0 percent butterfat content; multiplying the hundredweight of such milk in excess of

the total hundredweight of such Class II milk by the price for Class I milk of 4.0 percent butterfat content, and adding together the resulting amounts.

Issued at Washington, D. C., this 11th day of March 1953, to be effective on and after March 14, 1953.

(Sec. 5, 49 Stat. 753, as amended; 7 U.S. C. and Sup. 608c)

[SEAL]

EZRA TAFT BENSON, Secretary of Agriculture.

[F. R. Doc. 53-2309; Filed, Mar. 13. 1953; 8:51 a. m.]

# TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission
[Docket 4794]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PHILIP MORRIS & COMPANY, LTD., INC.

Subpart-Advertising falsely or misleadingly: § 3.20 Comparative data or merits; § 3.170 Qualities or properties of product or service; § 3.205 Scientific or other relevant facts. In connection with the offering for sale, sale and distribution of respondent's "Philip Morris" brand of cigarettes in commerce, representing directly or by implication, (1) that Philip Morris cigarettes, or the smoke therefrom, will not irritate the upper respiratory tract; (2) that Philip Morris cigarettes, or the smoke therefrom, are less irritating to the upper respiratory tract than cigarettes, or the smoke therefrom, of any of the other leading brands of cigarettes: (3) that the irritation caused by smoking other leading brands of cigarettes is of longer duration than that caused by smoking Philip Morris cigarettes; (4) that the use of diethylene glycol as a humectant in cigarettes renders, or significantly contributes to rendering, the smoke therefrom less irritating to the upper respiratory tract than the smoke from cigarettes in which glycerine is used as a humectant: (5) that Philip Morris cigarettes. or the smoke therefrom, will not affect the breath or leave an aftertaste; or, (6) that the use of Philip Morris cigarettes protects the smoker against smoker's coughs, the effects of inhaling or throat irritation due to inhaling; and (7) misrepresenting the reasons for which any study, survey, experiment, test or the like was made; prohibited.

(Scc. 6, 38 Stat. 722; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Philip Morris & Co., Ltd., Inc., Richmond, Virginia, Docket 4794, December 29, 1952]

Pursuant to the provisions of the Federal Trade Commission Act, the Federal Trade Commission, on August 5, 1942, issued and subsequently served its complaint in this proceeding upon the respondent named in the caption hereof, charging it with the use of unfair and deceptive acts and practices in commerce in violation of the provisions of said act. After the issuance of said complaint and the filing of respondent's answer thereto, hearings were held at

which testimony and other evidence in support of and in opposition to the allegations of said complaint were introduced before hearing examiners of the Commission theretofore duly designated by it, and said testimony and other evidence were duly recorded and filed in the office of the Commission. Thereafter, the proceeding regularly came on for final consideration by the hearing examiner last appointed on the complaint, the answer thereto, testimony and other evidence, and proposed findings as to the facts and conclusions presented by counsel, and said hearing examiner, on January 23, 1952, filed his initial decision.

Within the time permitted by the Commission's rules of practice, counsel for respondent filed with the Commission an appeal from said initial decision. and thereafter this proceeding regularly came on for final consideration by the Commission upon the record herein, including briefs in support of and in opposition to said appeal and oral arguments of counsel: and the Commission, having issued its order granting said appeal in part and denying it in part and being now fully advised in the premises, finds that this proceeding is in the interest of the public and makes this its findings as to the facts2 and its conclusion drawn therefrom and order, the same to be in lieu of the initial decision of the hearing examiner.

It is ordered, That the respondent, Philip Morris & Company, Ltd., Inc., a corporation, its officers, agents, representatives and employees, directly or through any corporate or other device in connection with the offering for sale, sale and distribution of its "Philip Morris" brand of cigarettes in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing directly or by implication:

(1) That Philip Morris cigarettes, or the smoke therefrom, will not uritate

the upper respiratory tract.

(2) That Philip Morris cigarettes, or the smoke therefrom, are less irritating to the upper respiratory tract than cigarettes, or the smoke therefrom, of any of the other leading brands of cigarettes.

- (3) That the irritation caused by smoking other leading brands of cigarettes is of longer duration than that caused by smoking Philip Morris cigarettes.
- (4) That the use of diethylene glycol as a humectant in cigarettes renders, or significantly contributes to rendering, the smoke therefrom less irritating to the upper respiratory tract than the smoke from digarettes in which glycerine is used as a humectant.

(5) That Philip Morris cigarettes, or the smoke therefrom, will not affect the breath or leave an aftertaste.

(6) That the use of Philip Morris cigarettes protects the smoker against smoker's coughs, the effects of inhaling or throat irritation due to inhaling.

and from:

(7) Misrepresenting the reasons for which any study, survey, experiment, test or the like was made.

Filed as part of the original document.

It is further ordered, That the charges of the complaint, other than those to which this order relates, be, and the same hereby are, dismissed.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this

Issued: December 29, 1952.

By the Commission.3

[SEAL]

D. C. DANIEL. Secretary.

[F. R. Doc. 53-2304; Filed, Mar. 13, 1953; 8.50 a. m.]

[Docket 6028]

PART 3-DIGEST OF CEASE AND DESIST ORDERS

ACADEMY KNITTED FABRICS CORP. ET AL.

Subpart-Neglecting, unfairly or deceptively, to make material disclosure: § 3.1890 Safety. In connection with the offering for sale, sale and distribution of fabrics in commerce, (1) offering for sale or selling fabrics which are highly inflammable, without clearly disclosing thereon or by means of labels or tags attached thereto that such fabrics are highly inflammable, prohibited.

(Sec. 6, 38 Stat. 722; 15 U.S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended: 15 U. S. C. 45) [Cease and desist order, Academy Knitted Fabrics Corporation et al., New York, N. Y., Docket 6028, December 27, 1952]

In the Matter of Academy Knitted Fabrics Corporation, a Corporation, and Jacob M. Wallerstein, Harry Leventhal and Murray Feiner, Individually and as Officers of Said Corporation

This proceeding was heard by William L. Pack, hearing examiner, upon the complaint of the Commission, respondents' answer, and a hearing at which a stipulation of facts was entered into between counsel supporting complaint and counsel for respondents providing that, subject to the approval of the examner, the facts set forth might be taken as the facts in the proceeding and in lieu of evidence in support of and in opposition to the complaint, and that the examiner might proceed upon such statement of facts to make his initial decision stating his findings as to the facts, including inferences which he might draw therefrom and his conclusion based thereon, and enter his order disposing of the proceeding without the filing of proposed findings or conclusions or the presentation of oral argument.

Thereafter the proceeding regularly came on for final consideration by said examiner upon the complaint, answer, and stipulation which also provided that upon appeal to or review by the Commission it might be set aside by it and the case remanded to the hearing examiner for further proceedings under the complaint; and which had been approved by

said examiner, who, after duly considering the matter and having found that the proceeding was in the interest of the public, made his initial decision comprising certain findings as to the facts, conclusion drawn therefrom, and order to cease and desist.

No appeal having been filed from said initial decision of said hearing examiner as provided for in Rule XXII, nor any other action taken as thereby provided to prevent said initial decision becoming the decision of the Commission thirty days from service thereof upon the parties, said initial decision, including said order to cease and desist, accordingly, under the provisions of said Rule XXII, became the decision of the Commission on December 27, 1952.

The said order to cease and desist is as follows:

It is ordered, That the respondents, Academy Knitted Fabrics Corporation, a corporation, and its officers, and Jacob M. Wallerstein, Harry Leventhal and Murray Feiner, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of fabrics, in commerce; as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from: Offering for sale or selling fabrics which are highly inflammable, without clearly disclosing thereon or by means of labels or tags attached thereto that such fabrics are highly inflammable.

By "Decision of the Commission and order to file report of compliance", Docket 6028, December 24, 1952, which announced and decreed fruition of said initial decision, report of compliance was required as follows:

It is ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: December 24, 1952.

By the Commission.

[SEAL]

D. C. DANIEL. Secretary.

[F. R. Doc. 53-2303; Filed, Mar. 13, 1953; 8:50 a. m.1

# TITLE 36—PARKS, FORESTS, AND **MEMORIALS**

Chapter I-National Park Service, Department of the Interior

PART 20-SPECIAL REGULATIONS

YELLOWSTONE NATIONAL PARK; FISHING

1. Subparagraph (2) entitled Limited open season, of paragraph (e) entitled Fishing, of § 20.13, entitled Yellowstone National Park, is amended to read as follows:

(2) Limited open season. (1) Yellowstone Lake, Riddle Lake, Squaw Lake, Grebe Lake, Wolf Lake and the stream connecting Grebe and Wolf Lakes and the Yellowstone River from the outlet of Yellowstone Lake to the upper falls at Canyon are open to fishing from sunriso on July 1 to sunset on October 15.

(ii) All open streams emptying into Yellowstone Lake, including the mouths of such streams, are open to fishing from sunrise on July 15 to sunset on Octo-

ber 15.

(iii) The following waters are open to fishing from sunrise on May 30 to sunset on September 30:

Madison River. Maple Creek. Campanula Creek. Grayling Creek.

Cougar Creek. Duck Creek. Gnelss Creek. Tepes Creek.

- 2. Subparagraph (4) entitled Closed waters, of paragraph (e) entitled Fishing, of § 20.13, entitled Yellowstone National Park, is amended to read as follows:
- (4) Closed waters. The following waters of the park are closed to fishing:

Indian Creek Panther Creek.

Duck Lake.

Arnica Creek, a tributary of Yellowstone -Lake.

Mammoth water supply reservoir.

Yellowstone River for a distance of 250 yards on either side of the center of the Yellowstone Cascades.

Firehole River, from the Old Faithful water supply intake to the Shoshone Lake Trail crossing above Lone Star Geyser.

Gardiner River and Glen Creek for their ontire length above the Mammoth water supply intake.

(Sec. 3, 39 Stat. 535, as amonded; 16 U.S. C. 3)

Issued this 10th day of March 1953.

DOUGLAS MCKAY, Secretary of the Interior

IF. R. Doc. 53-2273; Filed, Mar. 13, 1953; 8:45 a. m.]

# TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts, Department of Labor

PART 201-GENERAL REGULATIONS

REGULAR DEALER IN AGRICULTURAL LIMING MATERIALS UNDER THE PUBLIC CONTRACTS

Section 201.101 of this part contains a definition of regular dealer in terms of one who "owns, operates, or maintains a store, warehouse or other establishment in which the materials, supplies, articles or equipment of the general character described by the specifications and required under the contract are bought, kept in stock, and sold to the public in the usual course of business." In addition to this general definition of regular dealer, a number of special types of regular dealers are also defined in this section.

After considering the general method of operation of dealers in agricultural liming materials I find that it is desirable, in the interest of the Government. that a special definition be adopted in

<sup>&</sup>lt;sup>2</sup> Commissioner Carretta not participating for the reason that oral argument in this proceeding was heard prior to his becoming a member of the Commission.

<sup>&</sup>lt;sup>1</sup> Filed as part of the original document.

order that such dealers may qualify as regular dealers within the meaning of § 201 101.

38 and 43a), that § 201 101 (b) is hereby amended by adding thereto a new subparagraph (8), to read as follows: pursuant to authority vested in me by the Walsh-Healey Public Contracts Act, as amended (49 Stat 2038; 41 U. S C notice is hereby

§ 201 101 Manufacturer or regular dealer \* \* \*

(8) A regular dealer in agricultural liming materials may be a person who owns or controls the necessary equipment customarily required for delivering agricultural liming materials to farms or who has made arrangements to purchase for sale to the public in the usual course liming materials of the general character described by the specifications and required under the contract from a manu-facturer, and who offers such material for spreading such materials on fields \* \* \* (q) of business

(Sec 4 49 Stat 2038; 41 U S O 38)

I further find that because this amendment deals primarily with the determination of qualifications of bidders relaxation of existing requirements, on Government contracts, and is in effect compliance with the notice and public

procedure requirements of section 4 of the Administrative Procedure Act (60 Stat 237; 5 U S C 1001) is unnecessary and would serve no proper purpose This amendment shall become effec-

tive upon publication in the Feberar Register Signed at Washington, D C, this 6th day of March 1953

53-2274; Filled Mar 13 1953; Secretary of Labor MARTIN P DURKIN 8:45 a m ] ğ

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# TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

PART 608-DANGER AREAS

ALTERATIONS

Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted when indicated in order to proing hereinafter have been coordinated with the civil operators involved, the Since a military function of the United States is involved, compliance with the notice, The danger area alterations appearmote safety of the flying public

procedures, and effective date provisions

In § 608 14 the Camp Cooke Callfonia area (D-286), published on November 18, 1950 in 15 F R 7873, is de-

canarging the Description by geographical coal cool dinates" column to lead. "Beginning at lat 39°04'30" N, long 86°21'30" W; southerly to lat 38°49'00" N, long 86°22'48" N, long 86°28'30" W; NWSW, to lat 38°48'46" N, long 86°28'30" W; NWSW, to lat 38°61'30" N, long 86°21'30" W; northerly to lat 39°02'15" N, long 86°31'00" W; ENE to lat 39°04'30" N, long 86°21'30" W, point of beginning."

3 In § 608 35, the Offutt AFB, Nebraska area (D-203), published on Octobe 28, 1950 in 16 F R 7243, is deleted v an section 608 63, the Culcha staled on doctobe 31 1951, in 16 F. R. 11069, and demanded on January 16 1953, in 18 F. R. 2 In § 608 22, the Madison, Indiana, anea (D-110), published on August 18, 1949 in 14 F R 5145 is amended by

the at 351, is further amended by changing the "Time of designation" column to read: "During VFR weather conditions, and only after issuance of NOTAMS by Commandant, 10th Naval District, least 48 hours priot to firing NOTAI

(Sec 205 52 Stat 984, as amended; 49 U S O 425. Interprets or applies sec. 601, 52 Stat 1007, as amended; 49 U S O 551) This amendment shall become effective on March 17 1953 of section 4 of the Administrative Procedure Act is not required Part 608 is amended as follows:

Civil Aeronautics Acting Administrator of F B LEE [SEAL]

53-2300; Filled, Mar 13, 1953; 8:50 a m ] Ã 跘

PART

609—STANDARD INSTRUMENT APPROACH PROCEDURES

when indicated in order to promote safety of the flying public Compliance with the notice, procedures, and effective practicable and contrary to the public procedure afterations appearing hereinafter are adopted to become effective standard instrument approach date provisions of section 4 of the Administrative Procedure Act would be iminterest, and therefore is not required Part 609 is amended as follows:

1 The high frequency range procedures prescribed in § 6097 are amended

also to be issued upon cessation of Aring "

			VHF VIGUAL-AUBAL (VAR) RANGE PROCEDURES	ery Rang	в Раосевс	nca					
				Minimum	Station to airport		ŭ	Celling and recibility minimums	illty mint	nums	Verland send and and act of ability of
Statten; frequency; Identification	Missimum initial appreach altitude Final appreach from the direction and radio fix range indicated	Final ap preach rango	Procedure turn minimum at die tances from radio rango station	mega-		Field Clova tion		Day		Night	over already at authorized and indicated and
		contro			Scring Sc	Control (1880)		Celling Nilly (m.)	Colling (R.)	g Viet (mil)	
GRAND JUNGTION, COLO, Walker Field	(PROCEDURE CANCELED)										
HANKSVILLE, UTAH Hanksville Airport	(риосерине самоецер)										
WHEELING, W. VA. Ohio County Airport	(PROOEDURE OANOELED)										

2 The instrument landing system procedures prescribed in § 609 11 are amended to read in part:

INSTRUMENT LANDING SYSTEM PROCEDURES

orbitant and the control longer	authorized landing minimums or if landing not accomplished; re	IBIKS	If contact not established at LMM, imprediately execute rgt elimbing turn to 2 500 on ADF as of 276 outbound from Kansas Oy LFR	or as directed by A.I.U. Runway 18, 500-1 authorized all	act lind staight in on twy if in appending applications of the properting	# When apold Ige Blide path inop-	chirty, gross pinnt, and no respectively gross pinnt and 1,460°, and circling (Regular) minimums will apply for all act, except 4-engine acti, which are arthorized 700-1. When apple 1gts or gildo path inoperative, and Bluff FM inoperative, straight in land ling minimums for all act are 700-1. #Take offs to 8 and 8W, when weather is below 1000-3, will intercopp 210° but from 1,000-3, will intercopp 210° but from 1,000-3, will intercopp 210° but from 1,000-3, will intercopp 210° but from 1,000-4, when	maintain a cfs of 210 from the LIMM as soon as practicable after take off and maintain this crs until reaching 2,500 prior to making left	turn. OAUTION: (1) 911' msl cracking plant and 853' msl stack, 0.5 ml N'W of arpt (2) 1 670' msl TV twr, 2.9 ml	S of arpt. (3) 1,423 msl congested buildings within 1 ml 8 and SE (4) 906 msl grain elevators (not obstruction legs), and 887 msl ralicad legs, 4 ml NNE of anchond creations and service of the structure of the service of the servic	18. Toyes Deviation from standard orl teris authorized in obstruction clearance for Indg, in procedure turn, and in missed approach procedure	Turn left and climb to 3,000 on N	cts Andrews of the control of the co	ritumes: (1) Binfield Rbn located 6.6 ml from end of runway (2) De viation from standard criteria au viation from standard criteria.	tuojised in discussion of procession and transfer and the procession of the processi	MEA for traffic control	Olimb to 4,500' on S ers ILS within 25 ml, or as directed by ATC. Procedure turn non-standard due to ATC on N ers Taibbook IRB	Procedure turn 20-25 ml Not Au thorized. #Runway 17				
	Visi	(mi)	HHHH	00 in								100	200	9			1.0 3/4	11				_
Minimums	Sel.	(E)	700 700 700 700 700 700 700	38		<u> </u>						8	88888	3			8888	88				_
M			¤E	T#								r (	કું: જ્વ	<del>-</del> 1			#£#	464			•	-
70	elova flon	(11)	768					•				680					3, 256		•			-
		Middle	0.75									0 0				-	0 73				•	-
Distance from	approach end of runway (mi )	Outer 1	6,23						•			4 34					4.76					_
		Middle	1, 031			<u> </u>			***		<del></del>	1, 190		·			3 489					
Glide	markers (ft )	Outer	2, 506							<u> </u>		2,040					4, 500	<del>-</del>				_
1	altitude at glide path in		2 500									2 500				•	4, 500					_
	Procedure a turn mini		2 500'—W side N crs (NA beyond 5 mi)									2,500'-W side	(Within 10 mi)				4 500''E side N crs (Within 15mi)		· · ·		••	<b>-</b>
			Z 28 28										25 25 25 25 25 25 25 25 25 25 25 25 25 2	•			Z52 248 248 248			•		
H 8	Mini	altitude (ft )	2, 500	2, 500	2, 500	2, 500	2, 500					2, 500	2 800	3,000	3 500	3,500	4, 500	4, 500	4, 500	4, 500	4, 500	4,100
		(mi)	19 0	4 0	20	0.6	0 11 0		<del></del>			9 9	15 0	0 88	14.0	11 0	0 6	0.9	6.0	13 0	200	ä
	Mag netic	course (deg.)	085	162	88	음	261					216	225	820	363	245	163	348	358	ន	032	8
Transition to ILS		l 07	LOM	LOM	LOM	N ors ILS	N ers ILS					Binfield Rbn	Binfleld Rbn	Binfield Rbn	Binfield Rbn	Binfield Rbn	LOM	LOM	LOM	LOM	LOM	Outer Mike
<u>T</u>	F	rrom—	Int. 72° bearing on Kansas Cy VOR & S crs St. Joseph LFR or St Joseph ILS	Kansas City VOR	Kansas Olty LFR	Linkville FM	Liberty FM & Rbn					Knoxville LFR	Int. NE crs Knoxville LFR and NE crs ILS	Int. W crs Knoxville LFR and NE crs Chattanoogs LFR	Tallassee FM	Knoxville VOR	Int. 191 brg to Lub- bock VOR and N crs ILS	Int. 294° brg to Lub- bock VOR and N crs ILS	Int. E ers Lubbock LFR and N ers ILS	Lubbock LFR	Lubbock VOR	Roundup FM
	rango from which	The snall be made		Ident MKO		•				-		KNOXVILLE	Mo Ghee Tyson Alport Freq. 1103 mo	(Binfield Rbn— 217 kg; BFH; MHW)			LUBBOOK, TEX. Lubbock Alrport Freq. 109.5mc					-

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location and	5	Transition to ILS				Final ILS approach course:	That ILS	Mini mum altifudo	Glide path	path o ovor	Distance from markers to approach end of	from s to	riold	Minimums	nume	If visua	contact not established at
rango from which initial approach to ILS shall be made	From-	Į.	Mag notio courso (deg.)	Dis tanco (ml.)	Mint mum altitude (ft )	degrees Inbound; out bound	turn mini mum on ILS	artitude at glide path in tercep- tion(ft)	marke Outer	1	runway outer	Middlo	clova tion (ft )	Cft)	II VISI		authorized landing minimuns, or if landing not accomplished; ro marks
MAGON, GA.	Macon LFR	LOM	192	7.0	1,600	N'S	1, 600'—g side	1,000	1, 400	\$630	4 40	0 62	354	<u>                                     </u>	<u> </u>	<u>!</u>	o 1,700' on NE ors ILS within
Macon Coebran Airport Frog. 109,5 mo	Int. SW crs Macon LFR & W crs ILS	LOM	970	3.0	1 000	200 200 200	B W crs			-				 	8000	1.0 25 mi, 3/4 • Bolow 2.0 #Runwe	26 mi, or as directed by ATO •Bolow landing minimums #Runway 6
MOM	Robins Rbn	LOM	271	0.0	1,600												
IIB,	Memphis LFR	W ers ILS	SE SE	2 5	1,700	M.	1,700'-S alde	1,700	1,420	470	4 88	8	500		Ļ	وا	to 2 000 on NE cra of
Memphis Ak	Bruins Rbn	LOM	8	20 0	1, 700	200	W crs							(E. 20 )	200	3/4 ATO.	Memphis LFR, or as directed by ATC.
100,0 mo	Cuba FM	LOM	192	18 0	2,000						·						19.0
MEN	Int. NE ers Memphis LFR & E ers ILS	LOM	200	10 0	2,000						. =						
	Memphis VOR	LOM	276	0 01	1,700												
IAN,	Meridian LFR	Outer Mirkr	ន្ន	0.6	1,700	8	1,700'-E side	1,470	1,470	823	4 83	12 0	237	<u> </u>	<u> </u>	ودا	o 2,000' on E ers of Meridian
Koy Field Freq. 110.3 mo Ident MEI	Int. S ers Meridian LFR and ILS local fzer	Outer Mikr	17.6	0 0	1,700	178	20							3=°4:	3828	1.6 by AT 3/4 #Night: 2.0 Runwa	best within 20 mi, of as alrected by ATC. #Night minimums •Runway 39
	Meridian VOR	Outer Mrkr	ឌ	2	1,700											<b>.</b>	
VILLE,	Nashville VOR	LOM	ន្ត	20	2,500	ø;	2,600'-E olde	2,000	1 665	8	5.73	18 0	ŝ	<u> </u>	<u> </u>	<del>!</del>	o 2,000' on NW ers of Nash
Berry Field	Nashville LFR	LOM	212	2	2,500	104	2								225	3/4 rected	rected by ATO
DNA	Walterbill FM	LOM	æ	30	2,550		-										
	Folrolow FM	LOM	810	230	2,000									<u>,</u>			
	Int NW ers Nachvillo LFR and Ners ILS	LOM	104	11.0	2,500		_		,						•		
NEW ORLEANS,	New Orleans LFR	W ers ILS	ន	=	1,48	≱§	1, 409'-S cide	8,	1,00	ន	25.2	6.67	63		Ļ	<del>.</del>	Climb to 1,469' on E ers ILS within
Melcant Interna-	La Placa FM and Ren	W cra ILS (Final)	ន្ទ	3.0	1,049	38	2							\$ ~ C	\$\$8 \$\$8	2.0 - Runwa	9 10 author 53 22 5
MEX	New Orlcans VOR	LOM	313	153 7	31,			2								<b>-</b>	
RK,N Y	La Cuardla LFR	LOM	ន	00	2,000		1, 097-Sride	1, 360	1,359	380	\$	13 0	ឧ	_	<u> </u>		o 1, thy an NE ers ILS, cras
Field Freq. 163.0 mo Ident. LOA	Int E en La Chardla LFR and NE en Idlewild LFR	LOM	23	17 0	2,000	3 8 8	g E									3/4 • Runwa 2.0   1:09-1 rc 1.0   cr 6 14	•Runway 4. F.99-1 required when appreach lights or glido path are insperative.
	Int. NW ers La Quardia Leikand B ers Poughkoopsio Leik	LOM	S1	17 0	2, 580										*******		
	Flatbush Rbn	LOM (Final)	8	102	1,58			_				_		_	_		

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	visual contact not established	authorized landing minimums if landing not accomplished; morks	maras	Olimb to 3,000 on NW ers Oakland LFR within 15 ml, or on a ers of	mi.	VOR transition only. Upon c pletion of procedure turn and th	descent is authorized to cross B	wata .kon ut 2,090 Lunway 27R				Olimb to 3,000 on N ers ILS within 25 mi, or as directed by ATO *Runway 35					<b>S</b> ec		limb to 1,800' on NE ers of Phila	acidina Leka, or as arected. Ardinway 9	ake a climbing left turn, climb	or a directed by ATO		4.		Imb to 2,400' on N ers ILS wit	*Procedure turn beyond 10 mi NA due to conflicting Kansas Oity traffic 'Night minimums #Runway 35	Execute climbing right turn, climb to 3 off on Ser. ILS within 10 mi of 10 M, or as directed by AR.  Floo approach lights are installed at already and the series of the s	Night minimums. Yrg: Deviation from standard ( Reria authorized for procedure to and missed approach procedure
-	#	Visi		1.0	\$ C2 +			₩				10 °	) ()							18.04 54.00	<u>.                                    </u>	- % - % - % - %				125	400 400	2200000 2200000	7
Minimums	<u> </u>	Gen		999	388	<u></u>		ρ_				888	28 28 28						8	8888 8888	- S	368	88		-	88	§\$\$\$\$ \$	1, 600 1,	3
12	-			# <u>@</u>	å∢E	4				<del></del>	<u> </u>	#££.	<b>∢£</b> 1						r é	\$\$ <sub>4</sub> €	r#é	o	:E1	.c_	<del></del>	ra é	€: #<€	R: B: ∞<	
-		eleva tion	ì	10	•							1,283							10		1 151		•			128	<del></del>	202	<del></del>
no from	markers to	y (mi )	Middle	99 0								19 0							93 O		19 0	•				88		8.0	
Distan	mark	runwa	Outer	4 75								4 77			·				5 28		4.70					6 05		4.60	
	Glide path altitude over	ers (ft )	Middle	230		_						1,475							220		1 415					1 066	· · · · · · · · · · · · · · · · · · ·	470	
_			Outer	1,320								2 200							1,410		2 495					2 261		1, 520	
Mini				2 590								2 500				·		-	200		2 20				<del></del>	2 30	-	2,200	
		turn mini mum on ILS		3 500 —S side E crs								2,500'—E sido S crs							1 500'-S side	(Within 10 mi of LOM) 1 700—within 15 mi	2 C00'-E side				•	2 300'—E side		2 200'—S side SE crs (Within 6 mi) 2 600'—within 10 mi—NA beyond 10	S
Final ILS	approach	degrees Inbound;	bound	B228	e S							8 350 170					-		Ņ.	288	SE	141				ထဋ	172	388 123 123	
		Mini	altitude (ft )	4 500	2, 590	4 500	3, 500	3 500	3, 500	2,000	3, 500	3, 500	2, 500	2, 500	2 500	2, 500	2, 500	2, 500	1, 500	1 500	2 600	2 900	2 700	2,600	2 600	2 300	2 400		
		Dis		12 0	7 0	16 0	11 0	12 0	120	220	13 0	0 #	g g	00	10 0	2 0	150	11 0	0 0	2 5	8 0	21 0	19 0	10 0	20	2.5	30	le .	
97	.  -	Mag netic	courso (deg.)	074	1 341	220	660	320	8	112	342	170	181	1 2 2	170	197	334	106	082	283	013	214	291	119	230	191	153		
Transition to ILS	-	Į F	2	Newark FM and Rbn	Hayward Rbn	Newark FM and Rbn	Hayward Rbn	Newark FM and Rbn	Hayward Rbn	Nowark FM and Rbn	Nowark FM and Rbn	LOM	róm.	LOM	LOM	LOM	LOM	LOM	W crs ILS	LOM	LOM	LOM	LOM	LOM	LOM	LOM	N crs ILS		
		From		San Francisco LOM	Newark FM and Rbn	San Francisco LFR	Oakland LFR	San Francisco VOR	Onkland VOR	Altamont Int	Moffett NAS LFR	Int. 229 brg to Okla Oy VOR and N crs ILS	Oklahoma Ofty VOR	Oklahoma Oity LFR	Int. N ers Okla Oy LFR and N ers ILS	Okla Oy FM	Washington FM	Mustang FM	Boothwyn FM	Philadelphia LFR	Cecil Rbn	Butler Rbn	McKeesport Rbn	Olinton Rbn	Greater Pittsburgh Rbn	St Joseph LFR	St Joseph VOR		
	ILS location and	range from which initial approach to ILS shall be made		OAKLAND CALIF.	Freq. 109.9 mo	7777						OKLAHOMA OTTY, OKLA. Will Rogers Field	Ident OKO	•			<u>1</u>	_	_	<u> </u>	PITTSBURGH,	<u>.</u>					45	SALEM, OREG. McNary Field Freq. 110.3 mo Ident SLE	

SALT LAKE OILY UTAH SALT LAKE SALT LAKE SALT LAKE THORT IN SALT GENT BEAT GE	East Lake Olty LFR Salt Lake Olty VOR Salta Barbare LFR** Santa Barbare VOR El Capitan FM El Capitan FM El Capitan FM El Capitan FM Int. Wers Blinevepert LFR Int. Wers Shreveport ILFR ILFR INT. Mers Shreveport INT. Mers Shr	Transition to ILS  N crs ILS N crs ILS N crs ILS N crs ILS LOM	Mag notice course cours	TO 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	Mum altitudo (ft) 000 6,000 6,000 1,400 1,	Final ILB optrooph optrooph optrooph optrooph optrooph out	Ercceduro turn mini mum on IL/S  2,000'—E sido E crs**  (Within 25 mi)	Mini antitude at glido at glid	Glido path altitudo ovor markers (ft) Outer Middlo 5, 560 4, 440 1, 500 455	Middlo (***)  A 440  (***)	nutor, 1 60 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Floid of close of clo		Minimums  Minimu	1   1   1   1   1   1   1   1   1   1	If visual contact not established at a naturalized landing minimums, or if landing not accomplished; to marks the landing not accomplished; to marks a not above 6,000°, then elimb to show a not above 6,000°, then elimb to show a not above 6,000°, then elimb to not show a not show of the limb to not show a not	
	port VOIL and BE cre ILS	Trans	3	2	Me t							 			<del></del> -		
	Int. 057° brg to Shrovo port VOR and NW ers ILS	LOM	135	35.0	1,400					<del></del>		 			<del></del>		

Procedures-Continued
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	If visual contact not established at authorized landing minimums or if landing not accomplished; re	marks	Olimb to 3,500 on NW ers of Win	ston-Salem LFR within 25 mi #No glide path available	*Runway 33. OAUTION: 1,307' msl building, 2 3 mi	SSW of airport	
2	Visi		1.5	00	700		
Minimums	Cell	<b>E</b>	8	88	88		
-			r (	£	464		
	Field elova tfon	) 	896				
ce from	approach end of runway (mi )	Middle	07.0				
Distan	approac runwa	Outer	4 50				•
path	altitude over markers (ft )	Outor Middle Outer Middle	(#)				
•			9				
Mini	altitude atglide path in	tercep- tion(ft)	2,000	LOMO			
	Procedure turn mini mum on ILS		2 100'—SW	SECTS			
Final ILS	course; degrees inbound;	out	E S	148			
	Mini mum	altitude (ft )	2 000	2,000	2 400	2,000	2 400
Dis			9 0	0 9	14 0	11.0	0 11
	Mag netic	(deg)	328	328	261	328	285
Transition to ILS	Ę	2	LOM	LOM	LOM	LOM	LOM
	Hrom.		Winston Salem LFR LOM	Wallburn Int	Greensboro LFR	High Point FM	Greensboro VOR
TT G restered BTL	range from which initial approach to		WINSTON-	Smith Reynolds Wallb	Freq. 110.3 mo	7 117 21702	

3 The very high frequency omnirange procedures prescribed in § 609 15 are amended to read in part;

VHF OMNIRANGE (VOR) PROCEDURES

,	Initial approach to VOR station	70R.8	tation		Final an		Minimum	Distanca			Minimums		
Station; frequency; identi fleation; class	From	Mag netio course (deg)	Dis tanco (mi )	Mini mum alti (ft)	<del></del>	Procedure turn mini mum altitudo	altitude over VOR station on final approach (ft)	from VOR station to approach end of run way (mi)	Field elevation (ft )	٩	Colling (ft )	Visi bility (mi)	If visual contact not established at authorized landing minimums or if landing not accomplished; remarks
ALEXANDRIA, MINN Alexandria Airport 1121 mc; AXN; BVOR	(Initial approaches from primary fixes from any direction—MEA)		<u> </u>	Í	523 043	2 600'-N side crs	2 020	9 6	1 425	요소단	3860	441 000	Olimb to 2 600', make left turn and return to VOR
	Alexandria LFR	928	8 0	2,600		-							
AUSTIN, TEX. Mueller Airport 112 5mc; AUS; BVOR	(Initial approaches from primary fixes from any direction—MEA)				175 355	2 000 —W side crs	(Over VOR)	(From VOR)	631	最高等	2222	1000 1111	Turn left, climb to 2,000' on crs of 100 outbound from VOR within 25 ml, or as directed by ATO, *If Austin FM not received, descent below 1,520'
	Austin LFR	014	2 0	2 88			(Over Aus tin FM)	(From Aus tin FM)		4E	88	00	Not Authorized #Runway 16R
BELLINGHAM, WASH Bellingham Airport 1143 mc; BLI; BVOR	(Initial approaches from primary fixes from any direction—MEA)			-	148 328	2,000 —W side crs (Within 15 mi— NA beyond 15	2 000	102	168	병원석	888	1000	Olimb to 4,000' on crs of 145° within 25 mi of VOR, or as directed by ATO. OAUTION: 450' terrain located 6 mi NW of airport.
	Int, E crs Vancouver LFR and 148° brg to VOR	148	0 81	2 000		Î		,		<del></del>	900		
	Bellingham LFR	340	8 0	2,000									
	Abbotsford LFR	195	9	2,000							_		
	Int. W crs Abbotsford LFR and 148° brg to VOR	148	0 9	2, 000							<del></del> .		
	Int. E ers Vancouver LFR and N ers Abbots ford LFR	191	8 0	2,000									
BRUNSWIOK, GA. McKinnon Airport 115 4 mc; SSI; BVOR	(Initial approaches from primary fixes from any direction—MEA)				232	1,300'—8 side crs	160	3.0	ន	হ্মপ্ত বা	888	2000	Olimb to 1,300' on ers of 112° outbound from VOB Within 20 miles
	Brunswick Rbn	8	3.4	1,300				-		<del>.</del>	 8	0	
OHARLESTON, S. O Charleston Alrport 113 6 mc; OHS; BVOR	(Initial approaches from primary fixes from any direction—MEA)				162 342	1,200'W side crs	700	5.3	45	age.	888	100	Climb to 1,500' on crs of 162° outbound from VOB within 25 miles •Runway 16
	Charleston LFR	610	1	4.6 1 200					_	4E	28	20 00 10 10	

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	Initial approach to VOR station	VOR str	ıtlon		Tinal ap			Distance			Minimums	<b>8</b> 2	
Station; frequency; identi Acation; olass	From-	Mag Dis notic tance (deg)	Ting Of S	HE HE SE	proach course; degrees inbound; outbound	Proceduro turn mini mum altitudo	ovor VOR station on final approach (ft )	from VOR station to approach ond of run way (mi )	Fiold olovation (ft )		Celling (ft)	Visi bility (mi )	If visual contact not established at authorized landing minimums, or if landing not accom plished; remarks
OHILDRESS, TEX Ohildress Afrort 113,9 mc; ODS; BVOR-DTVJ	(All directions—MEA)				351 171	3,100'—E sido crs	2 600	3 7	1, 962	ಜಕ್ರಿ‱4∺	22222	#### ##### 0000 0	Olimb to 3,600 on ers of 361 within 26 ml of VOR, or as directed by ATO *Runway 38. #Night operations Not Authorized
OINOINNATT, OHIO Greater Cincinnati Algorit	(Initial approaches from primary fixes from any direction—MEA)				223	2,000 —E sido era	1 400	2 6	800	ස <u>ළ</u> °•	8888	2000	Olimb to 2,100' on crs of 007° within 26 mi of VOR, or as directed by ATO
aro Arris Ao famina arr	Int NW ers Olnelnnati LFR & 170° brg to VOR	170	20 0	2 000						:E+	68 88	00	
	Cincinnati LFR	243	22.0	2,400	-								
ORESTVIEW, FLA Cresview Airport 115 0mc; OEW; BVOR	(All directions—MEA)				106 286	1,400'S side era	000	7.0	274	路• <b>소</b> 단	2222	0000	Turn left and climb to 1 400' on ers of 89° within 25 mio VOR, or us directed by ATO Night minimums. Nors:: Minima apply to acft having stall speeds of 76 mph or less

These procedures shall become effective upon publication in the Pedenar Reassren

Ø 206 52 Stat 984, as amended; 49 U S O 426 Interpret or apply see 601, 62 Stat 1007 as amended; 49 U (Sec

F B Lee, Acting Administrator of Civil Acronautics

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63-2217; Filed, Mar 13, 1953; 8:45 a

8 P.

# TITLE 32A—NATIONAL DEFENSE,

Chapter III—Office of Price Stabilization, Economic Stabilization Agency [General Overriding Regulation

GOR 44—General Exemptions and Preservation of Records

Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this General Overriding Regulation 44 is hereby issued Pursuant to the Defense Production

STATEMENT OF CONSIDERATIONS

This GOR is a part of the program in compliance with the President's direction for orderly termination of piece controls by April 30, 1963. The number of commodities and services that have already been exempt from piece control is by amendments to the several general overriding regulations covering the different major commodity divisions now make it destrable to list in one place the commoditelatively smaller number of

tles that still remain under price control.

This GOR, therefore, provides that all sales of all commodifies and services in the continental United States are exempted from price control, except those specifically listed in section 1, which are retained under price control at all levels of sale

Thus all commodities and cervices not specifically listed in section 1 are now to exempt from price control. Among the major items not previously exempt and to which are therefore decontrolled by this control are: Coffee and coffee concentrates; mait beverages, including beer and ale; soybeans and animal feeds; all remaining ohemicals except those speoisically retained; all remaining ma-ohinery, building materials and metals

except those specifically retained; and No. 2 heating oil Until now any record relating to a commodity or service exempted from price control which a seller was required to have immediately pilor to exemption had to be preserved and made available for examination in the manner and for the period stipulated in the regulation

requirement that certain records be kept in for the life of the Defense Production to the and two years thereafter This is General Overriding Regulation therefore provides that these records need not be preserved after April 30, 1955 Of the course, records need not be made or piecerved for transactions taiting place after in the exemption from piece control is In view of the special nature and basis in of this regulation, consultation with inseems desirable to make specific the

dustry representatives, including trade association representatives, was impracticable and unnecessary

# REGULATORY PROVISIONS

and Seo, 1 General exemption of commodities " nervices

AUTHORITY: Sections 1 and 2 issued under see 704, 64 Etat 816, as amended; 50 U. S. C App. Sup. 2164 Interpret or apply Title IV, 64 Etat, 803, as amended; 50 U. S. C App Sup 2101-2110, E O. 10101 Sept 9, 1950, 16 F. R 6105; 3 OFR, 1950 Supp 2 Preservation of records

All sales in the of all com-Section 1 General exemption of com-Continental United States modifies and services

modities and services are exempt from price control except

(a) All sales of the following chem-icals: sulfur, sulfurle acid, and oleum

and sulfur trioxide
(b) All cales of the following industrial materials:
(1) Iron and steel mill products listed in Supplementary Regulation 100, Revision 1, to the General Celling Price Regu-

lation new or used
(2) Pig iron covered by SR 116 to the GCPR.
(3) Ferrotungsten, tungsten metal and other tungsten products covered by CPR 33.
(4) Ferromanganese, manganese

metal, and other manganese products covered by CPR 163

and other obnomium products covered by CPR 180

(6) All other fello alloys
(7) Belyllum mastel alloys
(8) Belyllum oxide
(9) Belyllum alloy mill products

and nlokel (10) Monel inconel, and nickel primary shapes including anodes), (stilp, whe, rod, etc.)

(11) Monel, inconel and nickel-mill products (sheet strip, rod, tubing, plate, etc. and including resistance wire other than wire produced from copper base alloy)

(12) Nickel base alloys and mill products except high temperature and special purpose alloys. "High temperature and special purpose alloys" mean those metallic mixtures containing less than 50 percent iron which are designed (i) to give the necessary resistance to heat, corrosion, and creep at high temperatures such as produced by turbo-superchargers and jet engines and/or (ii) for high electrical and magnetic qualities.

- (13) Columbium. (14) Tantalum.
- (15) Molybdenum.
- (16) Steel shipping containers, new or used.
  - (17) Metal cans, new.

(18) Fabricated structural steel, miscellaneous and ornamental iron, and vessel shop products for field assembly or erection covered by CPR 156, new.

(19) Prepared concrete reinforcement bars and reinforcement materials covered by CPR 174, new.

(20) Cutting tools, new, which are parts or components of, or specifically designed for use on, machine tools, but excluding abrasive grinding wheels and buffing wheels.

(21) Machine tools, attachments and parts, new or used, as defined in section 10 of Supplementary Regulation 2, Revised, to Ceiling Price Regulation 30.

SEC. 2. Preservation of records. Any record relating to a commodity or service exempted from price control, which you were required to have immediately prior to exemption, shall continue to be preserved and made available for exammation by the Office of Price Stabilization, or any other authorized agency of the United States, for the time and in the manner stipulated in the regulation requiring you to have such record, except that in no case need records be preserved after April 30, 1955.

Effective date. This general overrid-ing regulation is effective March 12, 1953.

Note: The record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

> JOSEPH H. FREEHILL. Director of Price Stabilization.

March 12, 1953.

[F. R. Doc. 53-2363; Filed, Mar. 12, 1953; 3:48 p. m.]

# PROPOSED RULE MAKING

# DEPARTMENT OF THE INTERIOR **Bureau of Indian Affairs**

[ 25 CFR Part 130 ]

MISCELLANEOUS INDIAN IRRIGATION PROJects (San Xavier Project, Sells Agency, Arizona and Duck Valley PROJECT, WESTERN SHOSHONE AGENCY, NEVADA)

OPERATION AND MAINTENANCE CHARGES-

Pursuant to section 4 (a) of the Administrative Procedure Act of June 11. 1946 (60 Stat. 238) and by virtue of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs, September 14, 1946 (11 F. R. 10297) and delegation by the Commissioner to the Area Director by Order No. 551, Amendment No. 1, dated June 5, 1951, notice is hereby given of the intention to modify § 130.105 Charges, of Title 25, CFR, Chapter I, Subchapter L, Part 130, dealing with operation and maintenance assessments against irrigable lands of Miscellaneous Indian Irrigation Projects, by increasing the partial payment of water charges from \$0.50 per acre per annum, to \$1.00 per acre per annum at the San Xavier Irrigation Project, Arizona, and from \$0.50 per acre to \$0.80 per acre at the Duck Valley Irrıgation Project, Nevada. The revised section will read as follows:

§ 130.105 Charges. Pursuant to the acts of August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat. 210 · 25 U.S. C. 385, 387) a part of the reimbursable cost of operating and maintaining the irrigation projects named in this section is apportioned on a per-acre basis against the irrigable lands of the respective projects for the calendar year 1953 and for each succeeding calendar year until further order, in the amounts designated below for each project, and there is assessed against each acre of ırrıgable land to which water can be delivered through the constructed works of the respective projects, the amounts designated for

each project, to be applied in the reimbursement of such apportionments:

Project	Agency	Per acre per annum
Duck Valley Miscellaneous units Pyramid Lake unit San Carlos Reservation Unit. San Xavier unit Tongue River unit Warm Springs unit	Western Shoshone. Navajo	\$0.80 .50 .50 .50 .50 1.00 .25 2.00

Interested persons are hereby given opportunity to participate in preparing the proposed amendments by submitting their views and data or argument in writing to Ralph M. Gelvin, Area Director, Phoenix Area Office, P O. Box 7007, Phoenix, Arizona, within twenty (20) days from date of publication of this notice of intention in the daily issue of the Federal Register.

> L. L. NELSON. Acting Area Director

[F. R. Doc. 53-2272; Filed, Mar. 13, 1953; 8:45 a. m.]

# DEPARTMENT OF AGRICULTURE

**Production and Marketing** Administration

[ 7 CFR Part 975 ]

[Docket No. AO-179-A-10]

HANDLING OF MILK IN CLEVELAND, OHIO. Marketing Area

DECISION WITH RESPECT TO PROPOSED MARK-ETING AGREEMENT AND PROPOSED ORDER AMENDING ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900) a public hearing was conducted at Cleveland, Ohio, on February 19, 1953, pursuant to notice thereof which was issued on February 12, 1953 (18 F R. 910)

The material issue of record related to the pricing of milk utilized for Class III purposes.

Findings and Conclusions. 1. Credits should be allowed on skim milk utilized for Class III purposes during the months of April, May and June 1953, to the extent that prices paid for milk by condenseries are lower than normal in relation to the market values of butter and nonfat dry milk solids. In computing the credit, the measure used for prices paid for milk by condenseries should be 14 cents less than the prices paid by the 18 plants listed in the basic formula price, and the butter-powder valuation should be the price now provided by the order for milk of 3.5 percent butterfat content utilized for Class III products other than butter and shrinkage. This change should be accomplished as an emergency action in order to provide affected parties with as much advance notice as possible of the pricing arrangements which will prevail during the months of April, May, and June, 1953.

In the original hearing notice the proponents proposed that during April, May, and June 1953, the Class III price provisions of the order be amended to provide a transportation allowance on whole or skim milk transported by truck or rail from a handler's receiving plant to a manufacturing plant. At the hearing the handlers modified the proposal to include a 25-cent lower price on all Class III skim milk as well as the transportation allowance.

It appears from the testimony that the prospective problem during the coming season of flush production is twofold; there may be larger volumes of milk to be disposed of for manufacturing in Class III than a year ago, and prices obtainable for such milk may not be as nearly comparable with order prices. During recent months milk production

by Cleveland producers has reflected the general increases in milk production which have occurred in most sections of the United States as compared with the same months a year ago. Milder weather, abundant feed supplies on the home farm, the lower rate of culling resulting from comparatively lower prices of slaughter cattle, and continued increases in the productivity of dairy cattle have all contributed to this comparatively large winter production. During November 1952, production per farm per day by Cleveland shippers was 243 pounds, more than 8 percent over the 224 pounds of November 1951. In December it was 255 pounds, or more than 10 percent over the 231 pounds per farm of a year ago. In November 1952 11.66 percent of all receipts from producers was Class III and in December 18.24 percent compared with 4.07 percent and 6.98 percent in the same months of 1951. It seems unlikely that such large percentage increases over a year ago will continue into April, May, and June, 1953, but some portion of the increase in production and in Class III uses is likely to be maintained.

It was testified that prices obtainable for producer milk disposed of to nonhandler manufacturing plants are now substantially lower than the Class III price provided by the order. Condenseries are normally a principal outlet for such disposition by those Cleveland handlers having madequate facilities to manufacture all the Class III milk delivered by producers. The condenseries were reported as being particularly reluctant at this time to accept any milk in excess of that shipped by their regular patrons. In January 1953 the basic formula butter-powder price exceeded the 18-condensery pay price for the first time since February 1952. Any continuation of this trend into the flush production months would present a particularly difficult problem in Cleveland, in view of the limited facilities available for handling Class III milk and of the larger quantities of Class III milk to be disposed of at a time when condensery receipts from regular shippers would also be at their seasonal peak.

Class III skim milk presents a greater problem than the butterfat content. Condenseries utilize whole milk for the manufacture of evaporated milk but, as indicated above, this outlet is currently much less attractive than a year ago, either as to the quantities which will be accepted by them or as to the prices paid. Most other Class III outlets involve separating the cream and skim milk. The cream portion is more valuable in relation to its bulk and it is, therefore, practicable to transport it farther distances for manufacture. Also, churns and other processing equipment are more widely available. The skim milk portion, however, is bulky in proportion to its value and cannot be as economically transported. In northern Ohio and areas in adjacent states which are available to Cleveland handlers. there are comparatively few plants with facilities for producing nonfat dry milk solids. A far greater proportion of Class III skim milk has been manufactured

into condensed milk, sweetened or unsweetened. These products have been marketed to ice cream makers and other users over a distribution territory which includes several states east and south of Ohio. It was testified that these outlets are now experiencing an unusually weak demand.

The proposals relating to transportation allowances do not constitute an economic or administratively feasible means of meeting the situation described above. Such an allowance encourages the excessive transportation of milk at the expense of producers. If a transportation allowance could be accurately established at the exact cost of transporting milk, it would be to a handler's financial interest to ship to any distant plant paying even a few cents more than some local or nearby outlet, since the extra hauling charge would result in a correspondingly lower price payable by the handler for Class III skim milk. A further serious problem in the consideration of any such allowance was revealed by data showing the movement of Class III mill: during April, May, and June 1952. During those three months only 51 percent of the Class III milk was moved out of the plant where originally received. Of the quantities moved, just over twothirds were transferred from a Grade A plant to a Grade B plant located either in the same or a closely adjacent building. The proposal would allow 15 cents per hundredweight on such a movement. It is clear, however, that the costs of providing and operating the type of facilities required to transport mill: across a plant floor or an alley may not be comparable with those required for a rail or truck movement of longer distance.

The previously described prospect of larger quantities of Class III milk and lower prices at the available outlets this spring can be more equitably and efficiently met by providing that a lower price will be applicable to all skim milk utilized for Class III purposes if conditions remain relatively unfavorable to condensery operations than by providing a transportation allowance.

The Cleveland order does not prescribe the use of any series of price quotations at local condenseries or other manufacturing plants. Condensery pay prices are represented, however, by one of the basic formula prices which comprises the prices paid at a list of condenseries located in Wisconsin and Michigan. Prices paid at Ohio condenseries commonly are below those paid at the reporting plants in Wisconsin and Michigan. Data presented at the hearing show that prices paid at Ohio condenseries averaged 14 cents per hundredweight lower during the months of April, May, and June of the years 1950, 1951, and 1952. The basic formula condensery price can be relied upon to reflect any continued weakness of demand by such plants relative to butter-powder plants. A deduction of 14 cents from the basic formula condensery price makes it as nearly comparable as possible with prices paid at Ohlo condenseries as indicated by historical relationships. The resulting price can then be compared with the prices otherwise provided by the order for milk testing 3.5 percent butterfat used in Class III products other than butter and shrinkage. The entire deficit, if any, can then be applied to reduce the price payable for Class III skim milk.

This pricing arrangement will give recognition to any general weakness of prices paid at condenseries as compared with those payable on the basis of market values of butter and nonfat dry milk solids. It would apply the lower price to the skim milk component which constitutes the most difficult disposal problem in Class III milk. The record contains evidence on the possibility that some form of price adjustment might be allowed only if total market supplies of Class III milk (or the quantities handled at individual plants) exceed those of a year ago. However, such a provision would deal only with one portion of the prospective problem and would not help meet the problem of lowered returns for those products on which Cleveland handlers mainly rely for a manufacturing outlet.

April, May, and June of 1950 were months when dairy product prices were also being actively supported and condensery pay prices were below the equivalent butter-powder prices. If the amendment had then been in effect it would have reduced the price of Class III skim milk by 23 cents per hundred-weight. In the same months of 1951 and 1952, however, condenseries were more actively bidding for milk supplies. The amendment would have reduced the price by an average of 7 cents in the three months of 1951 and by 11 cents in 1952.

2. The due and timely execution of the function of the Secretary under the act imperatively and unavoidable requires the omission of a recommended decision by the Assistant Administrator, Production and Marketing Administration, and the opportunity for exception thereto, on the above issue.

The conditions complained of are such that it is urgent that remedial action be taken as soon as possible. Delay beyond the minimum time required to make the attached order effective would defeat the purpose of such amendment. Accordingly, the time necessarily involved in the preparation, filing, and publication of a recommended decision, and exceptions thereto, would make such relief ineffective.

Rulings on proposed findings and conclusions. No briefs were filed by interested parties within the time designated.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and in the order, as amended, and as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient

quantity of pure and wholesome milk, and be in the public interest; and

(c) The proposed marketing agreement and the order, as amended, and as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity, specified in a marketing agreement upon which a hearing has been held.

Determination of representative period. The month of January 1953 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of an order amending the order regulating the handling of milk in the Cleveland, Ohio, marketing area in the manner set forth in the attached amending order is approved or favored by producers who during such period were engaged in the production of milk for sale in the marketing area specified in such order.

Marketing agreement and order nexed hereto and made a part hereof are two documents entitled "Marketing Agreement Regulating the Handling of Milk in the Cleveland, Ohio, Marketing Area" and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Cleveland, Ohio, Marketing Area." which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered. That all of this decision, except the attached marketing agreement, be published in the FEDERAL The regulatory provisions of REGISTER. said marketing agreement are identical with those contained in the order, as amended, and as hereby proposed to be further amended by the attached order which will be published with this deci-

This decision filed at Washington, D. C., this 11th day of March 1953.

[SEAL] EZRA TAFT BENSON, Secretary of Agriculture.

Order 1 Amending the Order, as Amended. Regulating the Handling of Milk in the Cleveland, Ohio, Marketing Area

§ 975.0 Findings and determinations. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order, as amended, and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) Findings upon the basis of the hearing record. Pursuant to the provi-

sions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) a public hearing was held at Cleveland, Ohio, February 19, 1953, upon a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Cleveland, Ohio, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all-of the terms and conditions of said order. as amended, and as hereby further amended, will tend to effectuate the de-

clared policy of the act:

(2) The parity prices of milk produced for sale in the said marketing area as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for such milk, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the. Cleveland, Ohio, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order is hereby amended as follows: Amend § 975.63 (b) by adding the following:

Provided, That during the months of April, May and June, 1953, such price shall be reduced by any amount that the price computed pursuant to § 975.60 (a) less 14 cents exceeds the price per hundredweight of milk testing 3.5 percent butterfat computed in accordance with paragraphs (a) and (b) of this section, exclusive of the proviso in paragraph

Order of Secretary\_Directing Referendum Be Conducted Among Producers Supplying Milk to Cleveland, Ohio, Marketing Area, and Designation of Agent To Conduct Such Referendum

Pursuant to section 8c (19) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 608c (19)), it is hereby directed that a referendum be conducted among the producers (as defined in the proposed order regulating the handling of milk in the Cleveland, Ohio, marketing area) who, during the month of January 1953 were

engaged in the production of milk for sale in the marketing area specified in the aforesaid order to determine whether such producers favor the issuance of the order which is a part of the decision of the Secretary of Agriculture filed simultaneously herewith.

The month of January 1953 is hereby determined to be the representative period for the conduct of such referendum.

Howard G. Eisaman is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda to determine producer approval of milk marketing orders as published in the FEDERAL REGISTER on August 10, 1950 (15 F R. 5177) such referendum to be completed on or before the 25th day from the date this referendum order is issued.

[F. R. Doc. 53-2310; Filed, Mar. 13, 1953; 8:52 a. m.]

# CIVIL AERONAUTICS BOARD

# [ 14 CFR Part 18 ]

PERFORMANCE OF MAINTENANCE, REPAIRS. AND ALTERATIONS ON AIRCRAFT OR AIR-CRAFT COMPONENTS BY CERTIFICATED AIR CARRIERS

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board an amendment to § 18.10 of Part 18 of the Civil Air Regulations which will permit an appropriately certificated air carrier, as defined in Part 18, to perform maintenance, repairs, and alterations on other air carrier aircraft or aircraft components.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. In order to insure their consideration by the Board before taking further action on the proposed rule, commuications must be received by March 31, 1953. Copies of such communications will be available after April 2, 1953, for examination by interested persons at the Docket Section of the Board, Room 5412, Department of Commerce Building, Washington, D. C.

Presently effective § 18.10 of Part 18 of the Civil Air Regulations permits an appropriately certificated air carrier. who is not certificated as a repair station, to perform maintenance, repairs, and alterations on aircraft or aircraft components as provided for in its continuous airworthiness maintenance and inspection program and its maintenance manual. The general purpose of this provision was to enable an air carrier which desires to perform work only on air carrier aircraft to do so without the necessity that it obtain certification as a repair station. The language of § 18.10 (e) permits the air carrier to do such work as is provided for in its continuous airworthiness maintenance and inspec-

This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have

tion program and its maintenance manual. This, in effect, limits the work to that performed on its own aircraft. In view of interchange agreements, contractual arrangements, and the exigencies which arise in the course of air carrier operations, it appears desirable that an appropriately certificated air carrier be authorized to perform maintenance, repairs, and alterations on aircraft and components owned and operated by another air carrier. In order that the general purpose of present § 18.10 be achieved, the regulations should permit an air carrier to perform such work without the necessity that it be a certificated repair station.

In view of the foregoing the Bureau has under consideration the amendment of § 18.10 (e) to permit an appropriately certificated air carrier to perform such work upon aircraft owned or operated by another air carrier, provided such work accomplished in accordance with the applicable continuous airworthiness maintenance and inspection program and maintenance manual of such other

air carrier. The proposed revision of Part 40 of the Civil Air Regulations places primary responsibility for the airworthiness of aircraft and components upon the air carrier which operates the aircraft irrespective of whether the air carrier has made arrangements with any other person for the performance of maintenance and inspection. Although the proposed amendment together with new Part 40 will permit an air carrier to make arrangements with another air carrier for the performance of its maintenance without the necessity for CAA approval of such arrangements, primary responsibility for airworthiness remains with the air carrier who operates the aircraft. With regard to operations conducted under presently effective Parts 41 and 42 of the Civil Air Regulations, the proposed amendment will retain the present procedure of approval of such arrangements as provided in those parts.

Accordingly it is proposed that § 18.10 (e) of Part 18 of the Civil Air Regulations be amended by adding at the end thereof a new sentence to read as follows: "It

may also perform maintenance, repairs, and alterations on any aircraft or aircraft components, including propellers and appliances, owned or operated by another air carrier as provided for in the applicable continuous airworthness maintenance and inspection program and maintenance manual of such other air carrier."

This amendment is proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended. The proposal may be changed in the light of comments received in response to this notice of proposed rule making.

(Sec. 203 (a), 52 Stat. 924; 49 U. S. C. 425 (a). Interpret or apply sees. 601-610, 52 Stat. 1007-1012; 49 U. S. C. 551-550)

Dated: March 10, 1953, at Washington, D. C.

By the Bureau of Safety Regulation.

ISEAL! JOHN M. CHAMBERLAIN,
Director.

[F. R. Doc. 53-2312; Filed, Mar, 13, 1953; 8:52 a.m.]

# NOTICES

# DEPARTMENT OF JUSTICE

Office of Alien Property

WARREN S. UYEDA

NOTICE OF INTENTION TO RETURN
VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Warren S. Uyeda, c/o Barclay & Company, P. O. Box 846, Tokyo Central, Tokyo, Japan; Claim No. 13804; \$15.46 in the Treasury of the United States.

Executed at Washington, D. C., on March 10, 1953.

For the Attorney General.

[SEAL]

Paul V. Myron,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-2302; Filed, Mar. 13, 1953; 8:50 a. m.]

# DEPARTMENT OF THE TREASURY

**Bureau of Customs** 

[493.1]

RONDELLES

TARIFF CLASSIFICATION

March 10, 1953.

The Bureau by its letter to the acting collector of customs at New York, New

York, dated March 2, 1953, ruled that rondelles, each consisting of two small circular metal disks or stampings which when placed together hold rhinestones or other imitation precious stones, are properly classifiable under paragraph 1527 (d), Tariff Act of 1930, as stampings of metal, whether or not set with glass or paste, finished or partly finished, suitable for use in the manufacture of any of the articles provided for in subdivision (a) (b) or (c) of that same paragraph, with duty according to composition and country of origin.

As this ruling will result in the assessment of duty at a higher rate than has heretofore been assessed under an established and uniform practice, it will be applied to such or similar merchandise only when entered, or withdrawn from warehouse, for consumption after 90 days from the date of publication of an abstract of this decision in the weekly

Treasury Decisions.

[SEAL] Frank Dow, Commissioner of Customs.

[F. R. Doc. 53-2299; Filed, Mar. 13, 1953; 8:49 a. m.]

# DEPARTMENT OF AGRICULTURE

Office of the Secretary

ESTABLISHMENT OF BOARD OF REVIEW FOR CONTRACT APPEALS

There is established in the Department of Agriculture a Board of Review for contract appeals:

1. The purpose for establishing a Board of Review is to provide consideration of contractors' appeals from decisions of contracting officers of the Department involving disputed questions of fact under contracts for (1) the con-

struction, alteration or repair of public buildings or works, or (2) the purchase of administrative supplies, equipment, materials or services, the terms of which provide that such appeals may be made to the head of the Department or his duly authorized representative. Upon appeal from a contracting officer's decision, the Director of Finance shall (1) appoint a Board of Review as provided herein, (2) refer the appeal together with all pertinent information to such Board, and (3) notify the contractor that his appeal has been referred to the Board and that he will be afforded an opportunity to be heard by the Board.

2. The Board of Review shall be composed of five members, as follows: Two technicians familiar with the kind of work involved in the contract, who shall be appointed by the Director of Finance with the approval of the heads of their respective agencies; one member from the Office of Plant and Operations, who shall be appointed by the Director of Finance with the approval of the Director of the Office of Plant and Operations; and one fiscal officer and one procurement officer appointed by the Director of Finance.

All Board members shall be employees of the Department and none shall have been directly involved in the letting or administration of the contract. A representative of the Office of the Solicitor shall sit with the Board in an advisory capacity. The Director of Finance shall designate a member of the Board to act as Chairman. Three members, one of whom shall be a technician, shall constitute a quorum.

3. The Board shall consider and review the matters presented to it and during the course of such review, gather evi-

dence and conduct such informal hearings as the Board deems to be necessary and, upon conclusion of the Board's review and consideration of an appeal, make a report thereon with appropriate recommendations to the Secretary as to the proper decision in the matter. The Chairman of the Board shall be responsible for the preparation and submission of the report and recommendations which shall be signed by all members of the Board who concur therein. The Board shall convene, whenever circumstances may require, in Washington, D. C., or such other place as may be approved by the Director of Finance.

The contractor may appear before the Board in person or by counsel or other representative. Strict rules of evidence as required in courts will not be invoked. Evidence may be presented orally or in writing.

Provision shall be made for an adequate record of the hearings. It shall be discretionary with the Board as to whether a summary record or verbatim reporting and transcription of the testimony presented will serve that purpose in any given case. When necessary, costs involved in such recording and transcription shall be borne by the agency involved in the contract dispute.

The Board shall submit to the Secretary its report and recommendations together with the record. The submission to the Secretary shall include a summary of the principal contentions of both parties, a summary of the evidence with appropriate references to the record, a discussion of the contentions and evidence, the conclusions the Board draws therefrom, and the recommendations of the Boards.

Done at Washington, D. C., this 10th day of March 1953.

[SEAL]

EZRA TAFT BENSON, Secretary.

[F. R. Doc. 53-2282; Filed, Mar. 13, 1953; 8:47 a. m.]

SALE OF MINERAL INTERESTS; REVISED
AREA DESIGNATION

# MINNESOTA

Schedule A, entitled Fair Market Value Areas, and Schedule B, entitled One Dollar Areas, accompanying the Secretary's Order dated June 26, 1951 (16 F. R. 6318) are amended as follows:

In Schedule A, under Minnesota, in alphabetical order, add the county "Mower."

In Schedule B, under Minnesota, delete the county "Mower."

(Sec. 3, Pub. Law 760, 81st Cong.)

Done at Washington, D. C., this 11th day of March 1953.

[SEAL] TRUE D. Morse,
Acting Secretary of Agriculture.

[F. R. Doc. 53-2347; Filed, Mar. 13, 1953; 8:45 a. m.]

# CIVIL AERONAUTICS BOARD

[Docket No. 2901 et al.]

PORTLAND-SEATTLE SERVICE CASE

NOTICE OF POSTPONEMENT OF ORAL ARGUMENT

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding assigned to be held on April 2, 1953, is postponed to April 7, 1953, at 10:00 a. m., e. s. t., in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., March 10,

[SEAL]

FRANCIS W BROWN, Chief Examiner

[F. R. Doc. 53-2305; Filed, Mar. 13, 1953; 8:51 a. m.]

[Docket No. SA-271]

ACCIDENT OCCURRING IN GULF OF MEXICO

## NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry N 90893, which occurred in the Gulf of Mexico, south of Mobile, Alabama, on February 14, 1953.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Monday, March 30, 1953, at 9:00 a. m., e. s. t., in the McFadden-Deauville Hotel, 6701 Collins Avenue, Miami Beach, Florida.

Dated at Washington, D. C., March 10, 1953.

[SEAL]

R. W CHRISP Presiding Officer

[F. R. Doc. 53-2311; Filed, Mar. 13, 1953; 8:52 a. m.]

# ECONOMIC STABILIZATION AGENCY

# Office of Price Stabilization

[Delegation of Authority No. 1, Revocation]

ASSISTANT DIRECTOR FOR MANAGEMENT

DELEGATION OF AUTHORITY WITH RESPECT TO BUDGET, PERSONNEL, MANAGEMENT, ORGANIZATION, AND GENERAL ADMINIS-TRATION

# REVOCATION

Pursuant to the authority vested in me as Director of the Office of Price Stabilization by the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, it is hereby ordered that Delegation of Authority No. 1 of the Office of Price Stabilization, dated January 27, 1951, is revoked effective immediately.

JOSEPH H. FREEHILL, Director of Price Stabilization.

MARCH 13, 1953.

[F. R. Doc. 53-2401; Filed, Mar. 13, 1953; 12:02 p. m.]

#### CERTAIN REGIONS

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under General Overriding Regulation were filed with the Division of the Federal Register on March 3, 1953:

### REGION IV

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Richmond Order I-G1-2, amendment 3,
     10:45 a. m.,
filed
                   I-G1-2,
                           amendment 4,
                   I-G1-2,
filed
     10:45 a. m.,
                           amendment 5.
                   Î-GÎ-2.
     10:45 a. m.,
filed
                           amendment
filed
     10:46 a. m.,
                   I-G2-2,
                           amendment
     10:46 a. m.,
                   I-G2-2,
                            amendment
filed
filed
     10:46 a. m.,
                   I-G2-2,
                            amendment
                   I-G2-2.
filed 10:46 a. m.,
                            amendment
     10:46 a. m.,
                   I-G3-2.
filed
                           amendment
filed
     10:47 a. m., I-G3-2,
                            amendment
filed
     10:47 a. m., I-G3A-2,
                            amendment 3,
     10:47 a. m., I-G3A-2, 10:47 a. m., I-G3A-2,
filed
                            amendment 4,
filed
                            amendment 5.
     10:47 a. m., I-G3A,-2, amendment
filed
filed
     10:48 a. m., I-G4-2, amendment
     10:48 a. m., I-G4-2,
                           amendment 6,
filed
     10:48 a. m., I-G4A-2,
10:48 a. m., I-G4A-2,
                            amondment 3
filed
filed
                            amendment 4.
     10:48 a. m., I-G4A-2, amendment
filed
     10:48 a. m., I-G4A-2, amendment 6,
filed
filed
     10:48 a. m., II-G1-1, amendment 3,
                  II-G1-1, amendment 4, II-G1-1, amendment 5,
filed
     10:48 a. m.,
     10:49 a. m.,
filed
     10:49 a. m.,
                  II-G1-1, amendment
filed
                  II-G2-1, amendment
filed
     10:49 a. m.,
     10:49 a. m.,
filed
                  II-G2-1,
                            amendment 4.
filed
     10:50 a. m.,
                  II-G2-1,
                            amendment 5
     10:50 a. m.,
                  II-G2-1,
filed
                            amendment 6.
     10:50 a. m., II-G1-1, amendment
filed
                  II-G1-1, amendment 5,
filed
     10:50 a. m.,
     10:50 a. m.,
                  II-G2-1,
filed
                            amendment 4,
                  II-G2-1,
                           amendment 5,
filed 10:51 a. m.,
     10:51 a. m., II-G3-1, amendment 3,
filed
filed
     10:51 a. m., II-G3-1, amendment
filed 10:51 a. m., II-G4-1, amendment
filed 10:51 a. m., II-G4-1, amendment
filed 10:52 a. m.
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Charlotte Order I-G3-3, amendment 5, filed 10:52 a. m., I-G4-3, amendment 5, filed 10:52 a. m.

Washington Order I-G1-3, amendment 3, filed 10:52 a. m., I-G2-3, amendment 3, filed 10:52 a. m., I-G4-3, amendment 3, filed 10:53 a. m., I-G4A-1, amendment 3, filed 10:53

# REGION V

Jacksonville Order II-G4A-3, amendment 1, filed 10:53 a. m., II-G4A-3, amendment 2, filed 10:53 a. m., II-G4A-3, amendment 3, filed 10:54 a. m., IV-G4A-2, amendment 1, filed 10:54 a. m., IV-G4A-2, amendment 2, filed 10:55 a. m., IV-G4A-2, amendment 3, filed 10:55 a. m., IV-G4A-2, amendment 4, filed 10:55 a. m.

4, filed 10:55 a. m.

Jackson Order I-G4A-2, amendment 1, filed 10:55 a. m., I-G4A-2, amendment 2, filed 10:55 a. m., I-G4A-2, amendment 3, filed 10:55 a. m.

Atlanta Order II-G3-1, amendment 2, filed 10:56 a.m., II-G4-1, amendment 2, filed 10:56 a.m.

# REGION VI

Cleveland Order II-G1-1, amendment 4, filed 10:56 a. m., II-G1-1, amendment 5, filed 10:56 a. m., II-G1-1, amendment 6, filed

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10:56 a. m., II-G2-1, amendment 4, filed
10:57 a. m., II-G2-1, amendment 5, filed
10:57 a. m., II-G2-1, amendment 6, filed
10:57 a. m., II-G3-1, amendment 4, filed
10:57 a. m., II-G3-1, amendment 5, filed
10:57 a. m., II-G3-1, amendment 6, filed
10:58 a. m., II-G4-1, amendment 4, filed
10:58 a. m., II-G4-1, amendment 5, filed
10:58 a. m., II-G4-1, amendment 6, filed
10:58 a. m., III-G1-1, amendment 4, filed
10:59 a. m., III-G1-1, amendment 5, filed
10:59 a. m., III-G1-1, amendment 6, filed
10:59 a. m., III-G2-1, amendment 4, filed
10:59 a. m., III-G2-1, amendment 5, filed
11:00 a. m., III-G2-1, amendment 6, filed
11:00 a. m., III-G3-1, amendment 4, filed
11:00 a.m., III-G3-1, amendment 5, filed
11:00 a. m., III-G3-1, amendment 6, filed
11:01 a. m., III-G4-1, amendment 4, filed
11:01 a. m., III-G4-1, amendment 5, filed
11:01 a. m., III-G4-1, amendment 6, filed
11:01 a. m.
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Louisville Order II-G1-2, filed 11:02 a. m., H-G2-2, filed 11:02 a. m., H-G3-2, filed 11:02 a. m., H-G4-2, filed 11:02 a. m.

Detroit Order I-G1-2, amendment 5, filed 11:03 a. m., I-G2-2, amendment 5, filed 11:03 a. m., I-G3-2, amendment 4, filed 11:03 a. m., I-G4-2, amendment 4, filed 11:03 a. m., II-G4-1, amendment 3, filed 11:04 a. m. II-G1-1, amendment 3, filed 11:04 a. m., II-G1-1, amendment 4, filed 11:04 a. m., II-G1-1, amendment 5, filed 11:04 a. m., II-G2-1, amendment 3, filed 11:04 a. m., II-G2-1, amendment 4, filed 11:04 a. m., II-G2-1, amendment 5, filed 11:05 a. m., II-G3-1, amendment 2, filed 11:05 a. m., II-G3-1, amendment 3, filed 11:05 a. m., II-G3-1, amendment 4, filed 11:05 a. m., II-G4-1, amendment 2, filed 11:06 a. m.; II-G4-1, amendment 3, filed 11:06 a. m., II-G4-1, amendment 4, filed 11:06 a.m.

#### REGION VII

Chicago Order I-G1-4, filed 11:07 a. m., I-G2-4, filed 11:07 a. m., I-G3-4, filed 11:07 a. m., I-G3A-3, filed 11:07 a. m., I-G4-4, filed 11:09 a. m., I-G4A-3, filed 11:09 a. m., I-G3A-3, amendment 1, filed 11:03 a. m., I-G3A-3, amendment 2, filed 11:08 a. m., I-G3A-3, amendment 3, filed 11:08 a. m., I-G3A-3, amendment 4, filed 11:03 a. m., I-G4A-3, amendment 1, filed 11:09 a. m., I-G4A-3, amendment 2, filed 11:09 a. m., I-G4A-3, amendment 3, filed 11:10 a. m., I-G4A-3, amendment 4, filed 11:10 a. m. Indianapolis Order IV-G4A-1, amendment 1. filed 11:11-a. m.

Milwaukee Order I-G1-4, filed 11:11 a. m. I-G2-4, filed 11:11 a. m., I-G3-4, filed 11:11 a. m., I-G4-4, filed 11:11 a. m., II-G1-2, amendment 2, filed 11:12 a. m., II-G2-2, amendment 2, filed 11:12 a. m., III-G1-1, amendment 2, filed 11:12 a. m., III-G2-1, amendment 2, filed II:12 a. m., III-G3-1, amendment 5, filed II:12 a. m., III-G4-1, amendment 5, filed 11:13 a.m.

# REGION VIII

Minneapolis Order I-G1-2, amendment 7, filed 11:13 a.m., I-G2-2, amendment 7, filed 11:13 a.m., I-G3-2, amendment 7, filed 11:13 a. m., I-G4-2, amendment 7, filed 11:13 a. m., I-G4A-1, amendment 7, filed 11:14 a. m., II-G1-1, amendment 3, filed 11:14 a. m., II-G1-1, amendment 3, filed 11:14 a. m., II-G2-1, amendment 3, filed 11:14 a. m., II-G2-1, amendment 4, filed 11:15 a. m., II-G3-1, amendment 3, filed 11:15 a. m., II-G3-1, amendment 4, filed 11:15 a. m., II-G3-1, amendment 5, filed 11:15 a. m., II-G3-1, amendment 6, filed 11:15 a. m., II-G4-1, amendment 3, filed 11:16 a. m., II-G4-1, amendment 4, filed 11:16 a. m., II-G4-1, amendment 5, filed 11:16 a. m., II-G4-1, amendment 6, filed 11:17 a. m., II-G4A-1, amendment 1, filed 11:17 a. m., III-G1-1, amendment 3, filed 11:17 a. m., III-G1-1, amendment 4, filed 11:18 a. m., III-G2-I, amendment 3, filed 11:18 a. m., III-G2-I, amendment 4, filed 11:18 a. m., III-G3-I, amendment 3, filed 11:18 a. m.,

III-G3-1, amendment 4, filed 11:19 a. m., III-G4-1, amendment 3, filed 11:19 a. m., III-G4-1, amendment 4, filed 11:19 a. m.

Sioux Falls Order III-G1-1, filed 11:22 a. m., III-G1-2, filed 11:23 a. m., III-G2-1, filed 11:24 a. m., III-G2-2, filed 11:25 a. m., III-G3-1, filed 11:25 a. m., III-G3-2, filed 11:26 a. m., III-G4-1, filed 11:27 a. m., III-G4-2, filed 11:29 a. m., IV-G1-3, filed 11:30 a. m., IV-G2-2, filed 11:30 a. m., IV-G4-2, filed 11:30 a. m., I-G1-3, amendment 4, filed 11:20 a.m., I-G2-3, amendment 4, filed 11:20 a.m., I-G4A-3, amendment 1, filed 11:20 a. m., I-G4A-3, amendment 3, filed 11:20 a. m., II-G1-3, amendment 3, filed 11:21 a. m., III-G1-1, amendment 1, filed 11:22 a. m., III-G1-1, amendment 2, filed 11:22 a. m., III-G1-1, amendment 3, filed 11:22 a. m., III-G1-2, amendment 1, filed 11:23 a. m., III-G1-2, amendment 2, filed 11:23 a. m., III-G2-1, amendment 1, filed 11:24 a, m., III-G2-1, amendment 2, filed 11:24 a. m., III-G2-1, amendment 3, filed 11:24 a. m., III-G2-2, amendment 1, filed 11:25 a. m., III-G2-2, amendment 2, filed 11:25 a. m., III-G3-1, amendment 1, filed 11:26 a. m., III-G3-1, amendment 2, filed 11:26 a. m., III-G3-1, amendment 3, filed 11:26 a. m., III-G3-1, amendment 4, filed 11:26 a. m., III-G3-2, amendment 1, filed 11:27 a. m., III-G3-2, amendment 2, filed 11:27 a. m., III-G4-1, amendment 1, filed 11:28 a. m., III-G4-1, amendment 2, filed 11:28 a. m., III-G4-1, amendment 3, filed 11:28 a. m., III-G4-1, amendment 4, filed 11:29 p, m., III-G4-2, amendment 1, filed 11:29 a. m., III-G4-2, amendment 2, filed 11:29 a. m., IV-G2-2, amendment 1, filed 11:30 a. m., IV-G4-2, amendment 1, filed 11:31 a. m.

Fargo Order II-G1-1, filed 11:31 a. m. H-G1-2, filed 11:32 a. m., II-G1-3, filed 11:32 a. m., II-G1-2, filed 11:32 a. m., II-G2-2, filed 11:33 a. m., II-G2-3, filed 11:33 a. m., II-G2-4, filed 11:33 a. m., II-G2-2, filed 11:34 a. m., II-G3-3, filed 11:34 a. m., II-G3-4, filed 11:34 a. m., II-G4-2, filed 11:34 a. m., II-G4-3, filed 11:35 a. m., II-G4-4, filed 11:35 a. m.

# REGION IX

Des Moines Order I-G3-3, amendment 2. filed 3:32 p. m., I-G3A-1, amendment 2, filed 3:22 p. m., I-G4-3, amendment 2, filed 3:23 p. m., I-G4A-1, amendment 2, filed 3:23 p. m. Kansas City Order I-G1-3, amendment 3, filed 3:23 p. m., I-G2-3, amendment 3, filed

3:23 p. m., I-G3-3, amendment 3, filed 3:23 p. m., I-G4-3, amendment 3, filed 3:23 p. m.

# REGION X

Little Rock Order I-G1-3, amendment 2, filed 3:24 p. m., I-G1-4, amendment 1, filed 3:24 p. m., I-G2-4, amendment 1, filed 3:24 p. m., I-G3-4, amendment 1, filed 3:24 p. m., J.-G3A-3, amendment 3, filed 3:24 p. m., I-G3A-3, amendment 4, filed 3:24 p. m., I-G4-4, amendment 1, filed 3:24 p. m., I-G4A-3, amendment 3, filed 3:24 p. m., I-G4A-3, amendment 4, filed 3:24 p. m.

New Orleans Order I-G1-4, filed 3:25 p. m., I-G2-4, filed 3:25 p. m., I-G3-4, filed 3:25 p. m., I-G3A-1, filed 3:25 p. m., I-G4-4, filed 3:25 p. m.

San Antonio Order I-G3A-3, amendment, filed 3:26 p. m., I-G4A-2, amendment 3,

filed 3:26 p. m.

Houston Order II-G2-1, filed 3:26 p. m., II-G2-2, filed 3:26 p. m., II-G3-1, filed 3:27 p. m., II-G3-2, filed 3:27 p. m., II-G3A-2, filed 3:29 p. m., II-G4-1, filed 3:27 p. m., II-G4-2, filed 3:28 p. m., II-G4A-2, filed 3:29 p. m., II-G2-I, amendment I, filed 3:26 p. m., II-G2-2, amendment 1, filed 3:27 p. m., II-G3-1, amendment 1, filed 3:27 p. m., II-G4-1, amendment 1, filed 3:27 p. m., II-G3A-1, amendment 2, filed 3:23 p. m., II-G3A-1, amendment 3, filed 3:23 p. m., II-G3A-1, amendment 4, filed 3:23 p. m., II-G3A-1, amendment 1, filed 3:23 p. m., II-GI-1, amendment 1, filed 3:29 p. m., II-GI-1, amendment 2, filed 3:29 p. m., II-GI-1, amendment 3, filed 3:30 p. m., H-G2-1, amendment 2, filed 3:30 p. m., H-G3-1, amendment 2, filed 3:30 p. m., II-G3-1, amendment 3, filed 3:30 p. m., II-G3A-2, amendment 1, filed 3:30 p. m., II-G4-1, amendment 2, filed 3:30 p. m., II-G4-1, amendment 3, filed 3:30 p. m., II-G4A-1, amendment 1, filed 3:29 p. m., H-G4A-1, amendment 2, filed 3:30 p. m., H-G4A-1, amendment 3, filed 3:31 p. m., II-G4A-1, amendment 4, filed 3:31 p. m., II-G4A-2, amendment 1, filed 3:31 p. m.

# REGION XI

Utah Order II-G4-1, amendment 7, filed 3:31 p. m., III-G1-1, amendment 5, filed 3:32 p. m., III-G2-1, amendment 5, filed 3:32 p. m.

Cheyenne Order III-G4-1, amendment 2, filed 3:32 p. m., III-G4-1, amendment 3, filed 3:32 p. m., III-G4-1, amendment 4, filed 3:32 p. m., III-G4-1, amendment 5, illed 3:32 p. m.

Albuquerque Order I-G4-3, filed 3:33 p. m.; I-G4A-3, filed 3:33 p. m., I-G4-3, amend-ment 1, filed 3:33 p. m. Denver Order I-G1-3, filed 3:33 p. m.

I-G2-3, filed 3:33 p. m., I-G4-3, filed 3:33 p. m.

### REGION XII

San Francisco-Oakland Order IIA-G4A-1, filed 2:49 p. m., II-G4-1, amendment 2, filed 2:48 p. m., II-G4-1, amendment 3, filed 2:48 p. m., IIA-G4A-1, amendment 1, filed 2:50 p. m., IIA-G4A-1, amendment 2, filed 2:50 p. m., IIA-G4A-1, amendment 3, filed 2:50 p. m.; IIA-G4A-1, amendment 4, filed 2:50 p. m., III-G3-1, amendment 1, filed 2:51 p. m., III-G4-1, amendment 1, filed 2:51 p. m.

Phoenix Order In-G1-1, filed 2:53 p. m. Ia-G1-2, filed 2:53 p. m., Ia-G2-1, filed 2:53 p. m., Ia-G2-2, illed 2:59 p. m., Ia-G3-1, filed 3:00 p. m., Ia-G3-2, filed 3:01 p. m., Ia-G3A-1, filed 3:02 p. m., Ia-G3A-2, filed 3:02 p. m., Ia-G4-1, filed 3:04 p. m., Ia-G4-2, filed 3:05 p. m., Ia-G4A-1, filed 3:06 p. m.; G4A-2, filed 3:07 p. m., Ia-G1-1, amendment 1, filed 2:57 p. m., Ia-G1-I, amendment 2, filed 2:57 p. m.; Ia-G1-I, amendment 3, filed 2:57 p. m., Ia-G1-I, amendment 4, filed 2:57 p.m., Ia-G1-2, amendment 1, filed 2:53 p. m., Ia-G2-1, amendment 1, filed 2:53 p. m., Ia-G2-1, amendment 2, filed 2:59 p. m., Ia-G2-1, G2-1, amendment 2, siled 2:59 p. m., I2-G2-1, amendment 3, filed 2:59 p. m., Ia-G2-1, amendment 4, filed 2:59 p. m., Ia-G2-2, amendment 1, filed 2:59 p. m., Ia-G2-2, amendment 2, filed 3:00 p. m., Ia-G3-1, amendment 1, filed 3:00 p. m., Ia-G3-1, amendment 3, filed 3:00 p. m., Ia-G3-1, amendment 3, filed 3:00 p. m., Ia-G3-1, amendment 4, filed 3:00 p. m., Ia-G3-1, amendment 5, filed 3:00 p. m., Ia-G3-1, amendment 4, filed 3:00 p. m., Ia-G3-2, amendment 1, filed 3:01 p. m., Ia-G3-2, amendment 2, filed 3:01 p. m., Ia-G3A-1, amendment 1, filed 3:02 p. m., Ia-G3A-1, amendment 2, filed 3:02 p. m., Ia-G3A-1, amendment 3, filed 3:02 p. m., Ia-G3A-1, amendment 4, filed 3:02 p. m., Iz-G3A-2, amendment 1, filed 3:03 p. m., Ia-G3A-2, amendment 2, filed 3:03 p. m., Ia-G4-1, amendment 1, filed 3:04 p. m., Ia-G4-1, amendment 2, filed 3:04 p. m., Ia-G4-1, amendment 3, filed 3:05 p. m., I2-G1-1, amendment 4, filed 3:05 p. m., I2-G4-2, amendment 1, filed 3:05 p. m., Ia-G4-2, amendment 2, filed 3:05 p. m., Ia-G4A-1, amendment 1, filed 3:06 p. m., Ia-G4A-1, amendment 2, filed 3:06 p. m., I2-G4A-1, amendment 3, filed 3:06 p. m., I2-G4A-1, amendment 4, filed 3:08 p. m., 12-G4A-1, amendment 1, filed 3:07 p. m., III-G1-1, amendment 2, filed 3:07 p. m., III-G2-1, amendment 2, filed 3:07 p. m., III-G4A-1, amendment 2, filed 3:03 p. m.

Los Angeles Order III-G1-2, filed 3:11 p. m. III-G2-2, filed 3:11 p. m., III-G4-2, filed 3:12 p. m., IV-G1-2, filed 3:12 p. m., IV-G2-2, filed 3:13 p. m., IV-G4-2, filed 3:13 p. m., I-G1-3, amendment 2, filed 3:10 p. m., I-G2-3, amendment 2, filed 3:10 p. m., I-G3-3, amendment 2, filed 3:10 p. m., I-G4-3,

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amendment 2, filed 3:10 p. m., I-G4A-3, amendment 2, filed 3:10 p. m., II-G1-3, amendment 2, filed 3:11 p. m., II-G2-3, amendment 3, filed 3:11 p. m., II-G4-3, amendment 3, filed 3:11 p. m., II-G4A-3, amendment 3, filed 3:11 p. m., III-G4A-1, amendment 3, filed 3:12 p. m.

#### REGION XIII

Portland Order I-G1-3, amendment 4, filed 3:13 p. m., I-G2-3, amendment 4, filed 3:13 p. m., I-G3-1, amendment 6, filed 3:13 p. m., I-G4-3, amendment 4, filed 3:13 p. m., I-G4-3, amendment 4, filed 3:14 p. m., II-G4A-3, amendment 4, filed 3:14 p. m., II-G4A-1, amendment 2, filed 3:14 p. m., III-G4A-1, amendment 2, filed 3:14 p. m., III-G4A-1, amendment 3, filed 3:15 p. m.

Seattle Order II-G4-2, amendment 3, filed 3:15 p. m.

Boise Order Ha-G4-1, filed 3:16 p. m., Mb-G4-1, filed 3:16 p. m., Ha-G4-1, amendment 1, filed 3:16 p. m., Ha-G4-1, amendment 2, filed 3:16 p. m., Hb-G4-1, amendment 1, filed 3:16 p. m., Hb-G4-1, amendment

ment 2 filed 3:16 p. m.

Spokane Order III-G1-1, filed 3:19 p. m. Spokane Order 111-G1-1, filed 3:19 p. m., III-G2-1, filed 3:20 p. m., III-G4A-1, filed 3:20 p. m., I-G1-2, amendment 1, filed 3:16 p. m., I-G2-2, amendment 2, filed 3:17 p. m., I-G2-2, amendment 3, filed 3:17 p. m., I-G4-2, amendment 3, filed 3:17 p. m., I-G4-2, amendment 4, I-G4-2, amendment 5, filed 3:17 p. m., filed 3:17 p. m., I-G4A-2, amendment 1, filed 3:18 p. m., I-G4A-2, amendment 2, filed 3:18 p. m., II-G1-1, amendment 3, II-G1-1, amendment 4, filed 3:18 p. m., p. m. filed 3:18 II-G2-1, amendment 3, filed 3:18 p. m.; II-G2-1, amendment 4, 3:19 filed p. m., 3:19 p. m., II-G4-1, amendment 2, filed II-G4A-1, amendment 3, filed 3:19 p. m., II-G4A-1, amendment 4, filed 3:19 p. m., III-G1-1, amendment 1, filed 3:19 p. m., III-G2-1, amendment 1, filed 3:20 p. m., III-G4A-1; amendment 1, filed 3:20 p. m., III-G4A-1, amendment 2, filed 3:20 p. m.

Copies of any of these orders may be obtained in any OPS office in the designated city.

> JOSEPH L. DWYER. Recording Secretary.

[F. R. Doc. 53-2271; Filed, Mar. 11, 1953; 10:26 a. m.1

# SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2948]

MILWAUKEE ELECTRIC RAILWAY & TRANS-PORT CO. AND WISCONSIN ELECTRIC Power Co.

ORDER RELEASING JURISDICTION OVER FEE AND EXPENSES

March 10, 1953.

The Commission, on December 24, 1952, having issued its order (Holding Company Act Release No. 11641) granting and permitting to become effective a joint application-declaration, as amended, filed by Wisconsin Electric-Power Company ("WEPCO") a registered holding company and a public utility company, and its non-utility subsidiary, the Milwaukee Electric Railway & Transport Company ("Transport")

Said application-declaration having proposed the sale of its passenger transportation properties by Transport to Milwaukee & Suburban Transport Corporation ("New Transit Company") a recently organized and unaffiliated company, and certain transactions between Transport and WEPCO in connection therewith:

The Commission in said order having reserved jurisdiction with respect to the reasonableness of the fees and expenses. incurred in connection with the proposed transactions:

It appearing that the only fee and expenses paid or proposed to be paid by the applicants and declarants in the instant proceeding is a proposed fee of \$9,000 for legal services, and reimbursement of expenses aggregating \$1,050, to be paid by Transport to Sullivan & Cromwell, and it appearing to the Commission that the aforesaid fee and expenses are not unreasonable and that the jurisdiction heretofore reserved with respect to the fees and expenses incurred in connection with the proposed transactions should be released:

It is ordered. That the jurisdiction heretofore reserved with respect to the fees and expenses incurred in connection with the proposed transactions be, and the same hereby is, released.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 53-2277; Filed, Mar. 13, 1953; 8:46 a. m.1

[File No. 70-2995]

FALL RIVER ELECTRIC LIGHT CO. AND EASTERN UTILITIES ASSOCIATES

SUPPLEMENTAL ORDER REGARDING PRINCIPAL AMOUNT OF BONDS

MARCH 10, 1953.

The Commission, by order, dated February 27, 1953, having granted the application of Fall River Electric Light Company ("Fall River") a public-utility subsidiary of Eastern Utilities Associates, a registered holding company, with respect to the issuance and sale by Fall River of \$6,800,000 principal amount of First Mortgage and Collateral Trust Bonds, Percent Series, due 1983, subject, among other things, to the reservations of jurisdiction with respect to the results of competitive bidding under Rule U-50 and with respect to the payment of all counsel fees incurred in connection with the proposed sale; and

A further amendment having been filed on March 10, 1953, setting forth, among other things, the action taken by Fall River to comply with the requirements of Rule U-50, and stating that pursuant to the invitation for competitive bids, the following bids for the bonds have been received.

Bidder	Annual interest rate (per- cent)	Price to company (percent of principal) 1	Annual cost to company (percent)
Estabrook & Co. and Stone & Webster Securities Corp. Halsey, Stuart & Co., Ind.	334 334	101. 53900 101. 37999	3. 6650 3. 6737

<sup>1</sup> Exclusive of accrued interest.

Said amendment to the application also setting forth that Fall River has accepted the joint bid of the group headed by Estabrook & Co. and Stone & Webster Securities Corporation for the bonds as shown above, and that said bonds will be reoffered to the public at a price of 102.27 percent of the principal amount thereof plus accrued interest from January 1, 1953, to the date of payment and delivery, resulting in a gross underwriting spread of 0.731 percent of the principal amount of said bonds, said spread aggregating \$49,708; and

The record not having been completed with respect to counsel fees and expenses in connection with the proposed transactions and the Commission finding that jurisdiction with respect thereto, including jurisdiction over the fee of counsel for the underwriters, should be con-

tinued; and

The Commission having examined said amendment and having considered the record therein and finding no reason for the imposition of terms and conditions with respect to the price to be received for said bonds and the interest rate thereon, the redemption prices thereof, or the underwriters' spread; and it appearing appropriate to the Commission to release the jurisdiction heretofore reserved with respect thereto and to grant applicant's request that the order herein become effective upon issuance;

It is ordered, That the jurisdiction heretofore reserved with respect to the matters to be determined as a result of competitive bidding for said bonds under Rule U-50, be, and the same hereby is, released, and that said application, be, and the same hereby is, granted, effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

It is further ordered. That the jurisdiction heretofore reserved over the payment of all counsel fees, including the fee of independent counsel for the underwriter, incurred by Fall River in connection with the proposed transactions, be, and the same hereby is, continued.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 53-2276; Filed, Mar. 13, 1953; 8:46 a. m.1

> [File Nos. 70-3000, 70-1595] GEORGIA POWER CO.

ORDER PERMITTING SUBMISSION OF FIRST MORTGAGE BONDS AND SHARES OF PRE-FERRED STOCK TO COMPETITIVE BIDDING AND MODIFYING PREVIOUS ORDER

March 10, 1953.

Georgia Power Company ("Georgia") a public utility subsidiary of the South ern Company, a registered holding com-pany, having filed an application, with amendments thereto, pursuant to section 6 (b) of the act and Rule U-50 promulgated thereunder, with respect to the following proposed transactions:

Georgia proposes to issue and sell (File No. 70-3000), pursuant to the competi-

tive bidding requirements of Rule U-50. (i) \$16,000,000 principal amount of First Mortgage Bonds \_\_ Percent Series due 1983, to be issued under and secured by Georgia's present indenture, dated as of March 1, 1941, as last supplemented on July 1, 1952, and to be further supplemented by a Supplemental Indenture to be dated as of April 1, 1953; and (ii) 100,000 shares of its authorized but unissued preferred stock, without par value. The interest rate and dividend rate for the bonds and preferred stock, respectively, and the price to be paid the company for said securities will be determined by the competitive bidding, except that the invitation for bids for the bonds will specify that the price to the company shall be not less than 100 percent nor more than 102.75 percent of the principal amount, and the invitation for bids for the preferred stock will specify that the price to the company shall be not less than \$100 per share nor more than \$102.75 per share.

Georgia proposes to use the proceeds from the sale of these securities and \$6,000,000 to be received from the sale of additional common stock to Southern (see Holding Company Act Release No. 11705) prior to the issuance and sale of the bonds and preferred stock, to provide a portion of the funds required to finance its current construction program. Georgia estimates that said program will require approximately \$28,000,000 of additional financing before the end of 1954.

The company also proposes to amend its charter to reclassify 500,000 authorized but unissued shares of \$6 Preferred stock into a like number of shares of Preferred stock, and to incorporate in the charter certain provisions for the protection of the holders of its preferred stock, including limitations on the payment of cash dividends and distributions on its common stock substantially as are contained in a condition in an order of this Commission dated November 14, 1947 (File No. 70-1595) The company requests the Commission to modify its order of November 14, 1947, by declaring said condition to be no longer effective when the charter shall have been amended as proposed.

The filing states that the issuance and sale of the proposed new bonds and preferred stock have been approved by the Georgia Public Service Commission, the the State Commission of the State in which Georgia is organized and doing business. Georgia requests that the order of this Commission granting the application become effective forthwith

upon issuance.

Due notice having been given of the filing of the application and a hearing not having been requested of, or ordered by, the Commission, and the Commission finding that the applicable promulgated the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and the interest of investors and consumers that said application, as amended, be granted subject to certain terms and conditions and reservations of jurisdiction:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application, as amended, be, and the same hereby is, granted effective forthwith, subject to the terms and conditions prescribed in Rule U-24 and to the further condition that the proposed sale of bonds and preferred stock shall not be consummated until the results of competitive bidding, pursuant to Rule U-50, have been made a matter of record herein and a further order shall have been entered with respect thereto, which order shall contain such further terms and conditions as may then be deemed appropriate, for which purpose jurisdiction be, and the same hereby is, reserved.

It is further ordered, That jurisdiction be, and the same hereby is, reserved over all fees and expenses incurred in connection with the proposed transactions.

It is further ordered, That when Georgia shall have amended its charter as proposed, the condition contained in the Commission's order dated November 14, 1947, under File No. 70–1595, in respect of the limitations on the payment of dividends on Georgia's common stock, shall be deemed to be no longer effective.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 53-2275; Filed, Mar. 13, 1953; 8:46 a. m.]

[File No. 70-3001]

GENERAL PUBLIC UTILITIES CORP.

NOTICE OF PROPOSAL TO BORROW FROM BANKS

March 10, 1953.

Notice is hereby given that General Public Utilities Corporation ("GPU"), a registered holding company, has filed a declaration pursuant to the Public Utility Holding Company Act of 1935 ("act"), and has designated sections 6 (a) and 7 thereof and Rule U-23 as applicable to the proposed transactions which may be summarized as follows:

GPU proposes to borrow \$7,000,000 by the issuance and sale of \$1,750,000 of its notes to each of the following four banks: The Marine Midland Trust Company of New York, Bankers Trust Company, Manufacturers Trust Company, and Mellon National Bank and Trust Company. Such notes will bear interest at the prime rate for commercial borrowing at the time of issue, but not in excess of 3% percent per annum, and will mature 10 months from the date of issue.

The filing states that the prime interest rate for commercial borrowing is now 3 percent per annum. It also states that if such interest rate would be in excess 3½ percent per annum at the time of issuance of any note GPU will, at least five days prior to the date of issuance of such note, file with the Commission a supplemental statement setting forth the interest rate thereof and all other pertinent details thereof, and that GPU will not issue said note unless either (a) no

notice shall have been given to GPU by the Commission within said five-day period that the Commission deems further proceedings required with respect to the subject matter of the declaration or (b) notice shall have been given to GPU by the Commission within said fiveday period that no further proceedings are required with respect to the subject matter of the declaration.

GPU will use the proceeds of the sales of the notes to make additional investments in the common stock equities of subsidiaries, in accordance with proposals to be filed with this Commission. GPU expects to obtain the funds for payment of the proposed bank loans either from the issuance and sale of additional shares of its common stock or from the sale of system assets.

The filing states that total expenses of GPU in connection with the proposed transactions, including legal fees, are estimated not to exceed \$3,500. It requests that the Commission's order become ef-

fective upon issuance.

Notice is further given that any interested person may, not later than March 24, 1953, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20-(a) and Rule U-100, thereof.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 53-2278; Filed, Mar. 13, 1953; 8:46 a. m.]

# UNITED STATES TARIFF COMMISSION

[Investigation No. 1-12]

DRIED FIGS

NOTICE OF INVESTIGATION

Investigation instituted and public hearing ordered for April 14, 1953.

Investigation instituted. Upon request of the President, the United States Tariff Commission has instituted an investigation under paragraph 2 of Executive Order 10401, dated October 14, 1952 (17 F. R. 9125), to determine whether, and if so to what extent, the modification made effective at the close of business August 29, 1952, of the tariff concession granted in the General Agreement on Tariffs and Trade with respect to dried figs provided for in paragraph 740, Tariff Act of 1930 (Proclamation No. 2936 of August

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16, 1952; 17 F R. 7567) remains necessary in order to prevent or remedy serious injury or the threat thereof to the

domestic industry concerned.

Public hearing ordered. A public hearing in this investigation will be held beginning at 10 a.m. on April 14, 1953, in the Hearing Room, Tariff Commission Building, Eighth and E Streets NW., Washington, D. C. Interested parties desiring to appear, to produce evidence, and to be heard at this hearing should file requests in writing with the Secretary, United States Tariff Commission, Washington 25, D. C., in advance of the date of hearing.

This investigation is supplemental to the Tariff Commission's Investigation No. 12 under section 7 of the Trade Agreements Extension Act of 1951, the results of which were reported to the President on July 24, 1952, and on the basis of which the President modified the concession on dried figs granted in the General Agreement on Tariffs and Trade and proclaimed an increase in the duty from 2½ cents to 4½ cents per pound. The present investigation is being made in accordance with the procedures prescribed in Executive Order 10401 for reviewing "escape clause" actions.

I certify that this investigation was instituted and the above-scheduled hearing was ordered by the United States Tariff Commission on March 10, 1953.

Issued: March 11, 1953.

[SEAL]

DONN N. BENT, Secretary.

[F. R. Doc. 53-2284; Filed, Mar. 13, 1953; 8:47 a. m.]

# **DEPARTMENT OF COMMERCE**

# **National Production Authority**

[Suspension Order 31; Docket No. 49, Modification 1]

SUNLIGHT METAL PRODUCTS COMPANY

ORDER OF MODIFICATION

This proceeding has to do with the matter of the National Production Authority vs. Sunlight Metal Products Company, 2301 S. Delaware Street, Denver, Colorado, in connection with which NPA Hearing Commissioner Stanley H. Johnson entered Suspension Order 31 on September 2, 1952, at Denver, Colorado.

In conformity with the policy established by Direction 20 to CMP Regulation No. 1, dated February 16, 1953, and Direction 10 to Revised CMP Regulation No. 6, dated February 16, 1953 (see also Designation of Scarce Materials 1, as amended February 18, 1953) and On motion of Robert H. Winn, Esquire,

On motion of Robert H. Winn, Esquire, Assistant General Counsel of the National Production Authority

It is hereby ordered, Pursuant to the provisions of paragraph (c) of section 5 of NPA Rules of Practice (17 F. R. 8156), that the above-identified suspension order be modified so that the respondent herein, any provision in the suspension order notwithstanding, may acquire any controlled material which is acquired pursuant to the provisions of section 6 of Direction 20 to CMP Regulation No. 1

or section 2 (a) of Direction 10 to Revised CMP Regulation No. 6; and

It is further ordered, That the said suspension order be further modified so that the respondent herein may use or dispose of any controlled material so acquired, and the suspension order herein shall not be treated as effecting a prohibition by a regulation or order of NPA as referred to in section 7 of Direction 20 to CMP Regulation No. 1 as to any controlled material acquired pursuant to the provisions of said Direction 20 or of Direction 10 to Revised CMP Regulation No. 6.

In all other respects the aforesaid Suspension Order 31 remains unmodified.

Issued this 6th day of March 1953 at Washington, D. C.

NATIONAL PRODUCTION
AUTHORITY,
By Morris R. Bevington.
Deputy Chief Hearing Commissioner

[F. R. Doc. 53-2386; Filed, Mar. 13, 1953; 10:21 a. m.]

[Suspension Order 32; Docket No. 34, Modification 1]

WOOLDRIDGE MANUFACTURING COMPANY, ET AL.

# ORDER OF MODIFICATION

This proceeding has to do with the matter of the National Production Authority vs. Wooldridge Manufacturing Company et al., Sunnyvale, California, in connection with which NPA Hearing Commissioner William B. Owens entered Suspension Order 32 on September 15, 1952, at San Francisco, California.

In conformity with the policy established by Direction 20 to CMP Regulation No. 1, dated February 16, 1953, and Direction 10 to Revised CMP Regulation No. 6, dated February 16, 1953 (see also Designation of Scarce Materials 1, as amended February 18, 1953) and

On motion of Robert H. Winn, Esquire, Assistant General Counsel of the National Production Authority

It is hereby ordered, Pursuant to the provisions of paragraph (c) of section 5 of NPA Rules of Practice (17 F R. 8156) that the above-identified suspension order be modified so that the respondents herein, any provision in the suspension order notwithstanding, may acquire any controlled material which is acquired pursuant to the provisions of section 6 of Direction 20 to CMP Regulation No. 1 or section 2 (a) of Direction 10 to Revised CMP Regulation No. 6; and

It is further ordered, That the said suspension order be further modified so that the respondents herein may use or dispose of any controlled material so acquired, and the suspension order herein shall not be treated as effecting a prohibition by a regulation or order of NPA as referred to in section 7 of Direction 20 to CMP Regulation No. 1 as to any controlled material acquired pursuant to the provisions of said Direction 20 or of Direction 10 to Revised CMP Regulation No. 6.

In all other respects the aforesaid Suspension Order 32 remains unmodified.

Issued this 6th day of March 1953 at Washington, D. C.

NATIONAL PRODUCTION AUTHORITY,

By Morris R. Bevington, Deputy Chief Hearing Commissioner

[F. R. Doc. 53-2387; Filed, Mar. 13, 1953; 10:21 a. m.]

[Suspension Order 43, Docket Nos. 24 and A-8, Modification 1]

HILLSIDE METAL PRODUCTS, INC., ET AL.

### ORDER OF MODIFICATION

Robert H. Winn, Esquire, Assistant General Counsel, National Production Authority; Washington, D. C., for the United States; and Arthur S. Lowell, Esquire, Attorney at Law, 1819 Broadway, New York, New York, for the respondents.

The instant proceeding has to do with Suspension Order 43 entered in the case of Hillside Metal Products, Inc., et al., on November 6, 1952, after hearing by National Production Authority Commissioner James M. Fawcett, of Brooklyn, New York, in connection with which both sides were represented by counsel.

As disclosed by the record, the respondents herein, during a period of critical scarcity; to wit, between June 20 and August 2, 1951, sold to a speculative purchaser some 339½ tons of steel secured by them for defense purposes, and by this transaction netted themselves a total profit in excess of 5 cents a pound, or \$100 per ton, or approximately \$35,000 in all. As channeled, this steel, in the language of the respondents, passed "from one purchaser to another purchaser, and thence onward"; i. e., into the "black market"

On November 10, 1952, counsel for the respondents appeared in Washington, D. C., for the announced purpose of making an oral application to stay the execution of the remedial provisions of the aforesaid Suspension Order 43 in Hillside Metal Products. Inc., et al.

side Metal Products, Inc., et al.

As established by the docket in the present case, there is no order entered of record, signed by the Chief Hearing Commissioner, that has extended the time for filing of notice of intention to appeal.

From the bench, the attention of said counsel was invited to the fact that under the provisions of section 4 of NPA Rules of Practice (17 F R. 8156), an application for stay must be made in writing, and that this requirement had not been conformed to.

The matter of the respondents' proceeding orally with their presentation of argument on appeal was also pressed by their counsel. In connection therewith the bench announced that the case was not in proper order for consideration on appeal. Notice was also taken of the fact that no appeal brief had been filed by said respondents.

The proceeding of said November 10, 1952, was accordingly confined solely to

the entertainment of argument on the application for stay, at the conclusion of which a stay, in words and figures, as follows:

A suspension order was issued in the above-entitled matter on November 6, 1952, by James M. Fawcett, Hearing Commissioner. There was an application for stay of suspension order to the Chief Hearing Commissioner on November 10, 1952, under the provisions of section 4 of Rules of Practice 1.

Upon a showing of irreparable harm and after hearing counsel for the respondent and for the National Production Authority, I direct that the provisions of the order appealed from be stayed pending disposition of appeal.

was granted over the timely objection of counsel for the Government.

Three conditions are imposed by the aforesaid section 4 of NPA Rules of Practice as prerequisite to the issuance of a stay pending appeal.

The first of these is that such stay may only issue "After the initiation of an appeal"

Paragraph (c) of section 3 of the NPA Rules of Practice provides that to initiate an appeal the following steps must be taken:

An appeal shall be initiated by filing an original and five copies of a notice of intention to appeal with the Chief Hearing Commissioner within 10 calendar days from the date of service of an order upon the appellant.

The foregoing requirement is mandatory and the fact that it was never complied with is a direct challenge to the jurisdiction of the Chief Hearing Commissioner in the premises.

.The second equivalent is that the provisions of the order appealed from may be stayed upon a showing of irreparable harm. The showing made in the present case was limited to the unsupported oral allegation made by counsel for the respondents during the course of argument.

The third condition, equal in force or authority, specifically demands that "An application for a stay must be made in writing to the Chief Hearing Commissioner." No such application was ever submitted.

No citation of authority is needed to support the statement that legislative rules have the force of law and that interpretative rules sometimes do. (In this connection, see the 1952 Edition of Parker, Administrative Law, 148.) "An administrative agency is bound by its own valid legislative regulations as these have the force of law." Vom Baur, Federal Administrative Law 86 (1947 Supp.)

In the promulgation of sections 3 and 4 of NPA Rules of Practice, the Chief Hearing Commissioner acted in a legislative capacity.

When sitting for the purpose of hearing a given appeal, he acts in a judicial capacity.

As such, he is bound to recognize the validity of the provisions of the aforesaid sections until such time as they are formally set aside.

In point is the case of the Arizona Grocery Co. v. A. T. & SF. Ry. Co., 284 U. S. 389, wherein the Interstate Commerce Commission fixed a rate for certain shipments. Thereafter, in a reparation proceeding, the Commission found that a lower rate was reasonable and ordered reparation of all payments in excess of the lower rate. The Commission contended that it was not bound by the doctrine of res adjudicate in regard to the rate first declared reasonable.

The Supreme Court of the United States, in dealing with the foregoing issue, held that:

The Commission's error arose from a failure to recognize that when it prescribed a maximum reasonable rate for the future it was performing a legislative function, and that when it was sitting to award reparation, it was sitting for a purpose judicial in nature. In the second capacity, while not bound by the rule of res adjudicata, it was bound to recognize the validity of the rule of conduct prescribed by it and not to repeal its own enactment with retroactive effect. It could repeal the order as it affected future action, and substitute a new rule of conduct as often as occasion might require, but this was obviously the limit of its power, as of that of the legislature itself.

See, also, McCord v. Granger, U. S. Court of Appeals, Third Circuit, 3 Ad. L. (2d) 15, decided December 19, 1952, in which, dealing with an Internal Revenue matter, it joined the U. S. Circuit Court of Appeals for the Ninth Circuit, i. e., Pacific National Bank of Seattle v. Commissioner of Internal Revenue, 91 Fed. (2d) 105, (1937) in holding that:

The suggestion that Treasury regulations having the force and effect of law are binding on taxpayers, but not on the Commissioner or on the Board of Tax Appeals, cannot be entertained. Tax officials and taxpayers alike are under the law, not above it.

Under the general rule of conduct laid down in the above-cited authorities, neither the (1) Chief Hearing Commissioner, nor the (2) General Counsel of NPA may waive the legislative provision of the NPA Rules of Practice, nor can they be waived by (3) consent of the parties litigant. The fact that on November 10, 1952, during the oral presentation on the part of the respondents, counsel for the United States waived the requirement that the application for a stay must be in writing, cannot be pleaded as abrogating said rule in the instant matter.

On February 24, 1953, the respondents herein, by their counsel, appeared and made oral presentation of the matter of appeal, their contention being that such appeal should be granted by reason of (1) lack of wilfulness on the part of the respondents, in their admitted violations, and the (2) alleged harshness of the terms of the suspension order entered in their case by Commissioner Fawcett.

Neither the element of wilfulness nor hardship has any application in a normal NPA administrative adversary proceeding, National Production Authority vs. M&B Metal Products Company, et al., Opinion, Judge Curtis Bok, Suspension Order 7, from which, in connection with the issue of hardship, we quote the following:

On the second point—the harshness of the Suspension Order—we are not inclined to grant relief. No doubt respondents must tighten their beits stringently, but so must the national economy in a time of declared emergency. The allocation system is designed to supervise that process so that the least possible pain results, and if respondents

had observed the rules, they would have suffered far less. With the memory of full war-time priorities still fresh and the present system not difficult to understand, a plea of confusion or of hardship after the fact comes stale upon the ear. No one in a business requiring steel can be under the illusion that it is not one of the most critical commodities and among the first to be rationed.

The present case was initiated May 28, 1952. Hearing thereon was had October 16, 1952. As of November 6, 1952, suspension order was issued and served on the respondents, who then had ten calendar days in which to initiate an appeal under paragraph (c) of section 3 of NPA Rules of Practice (17 F. R. 8156). To date, this requirement has not been met.

Respondents' oral presentation of February 24, 1953, heretofore dealt with, cannot be substituted for the specific requirements of the rule cited. Therefore, appeal not having been timely perfected on the part of the respondents, further consideration will not be given to that phase of this case.

Counsel of record for the Government having moved that the stay entered in the cause November 10, 1952, be forthwith lifted, and it being clear that applicable legislative regulations of the National Production Authority were not complied with in its issuance, it is therefore ordered that said stay be forthwith vacated, set aside, and held for naught.

Although, for the reasons stated, the respondents' oral presentations of November 10, 1952, and February 24, 1953, may not be considered as an appellate proceeding, it remains possible to consider it by resort to the extraordinary jurisdiction of the Chief Hearing Commissioner as stated in paragraph (c) of section 5 of the Rules of Practice. The jurisdiction therein should normally not be invoked or exercised to defeat the purposes and requirements of the Rules of Practice with regard to the initiation and perfecting of appeals. It appears in the instant case, however, that an attempt was made by all parties to waive the specific requirements of the rules as relating to appeals. Therefore, in order to accomplish substantial justice and equity to the appellant, who might, but for such waiver by the Government, have taken steps to perfect an appeal, the case is being considered at this time on its present merits under the provisions of the aforesaid paragraph (c) of section 5 of NPA Rules of Practice (17 F. R. 8156)

A. It is hereby ordered, That Suspension Order 43 be modified by striking out paragraphs numbered 1, 2, 3, and 4 under the heading "It is accordingly ordered:" which represents the effective order of Commissioner Fawcett.

B. It is further ordered, That the said suspension order be further modified by adding thereto, and in lieu of that part stricken by paragraph A hereof, the following:

It is accordingly ordered:

1. That all priority assistance and all allocations and allotments of steel which may be granted to the respondents, Hillside Metal Products, Inc., et al., for use during the first calendar quarter of 1953, be reduced by 39½ tons.

2. That all priority assistance and all allocations and allotments of steel which may be granted to Hillside Metal Products, Inc., et al., for use during the second calendar quarter of 1953, be reduced by 300 tons.

3. That all allocations and allotments of steel which may be acquired under the privileges of self-certification, selfauthorization, or automatic allotment, are withdrawn and withheld from Hillside Metal Products, Inc., et al., for the first and second calendar quarters of 1953, to carry out the intent of paragraphs 1 and 2 above.

4. That the respondents herein may acquire any controlled material acquired pursuant to the provisions of section 6 of Direction 20 to CMP Regulation No. 1 or section 2 (a) of Direction 10 to Revised CMP Regulation No. 6, and the respondents herein may use or dispose of any controlled materials so acquired, and the suspension order herein shall not be treated as effecting a prohibition by a regulation or order of NPA as referred to in section 7 of Direction 20 to CMP Regulation No. 1 as to any controlled material acquired pursuant to the provisions of Direction 20 to CMP Regulation No. 1 or of Direction 10 to Revised CMP Regulation No. 6.

In all other respects Suspension Order 43 shall remain in full force and effect.

Issued this 6th day of March 1953 at Washington, D. C.

NATIONAL PRODUCTION AUTHORITY, By Morris R. Bevington, Acting Chief Hearing Commissoner

[F. R. Doc. 53-2388; Filed, Mar. 13, 1953; 10:21 a. m.]

# INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27864]

CLASS AND COMMODITY RATES BETWEEN Augusta, Ga., and Pacific Coast Terri-TORY

APPLICATION FOR RELIEF

March 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedules listed in the application.

Between: Augusta, Ga., and Pacific coast territory.

Grounds for relief: Competition with rail carriers, circuitous routes, and to

maintain grouping.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed

to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W. LAIRD. Acting Secretary.

[F. R. Doc. 53-2287; Filed, Mar. 13, 1953; 8:47 a. m.]

[4th Sec. Application 27865]

PHOSPHATE ROCK FROM FLORIDA TO MOBILE, ALA.

APPLICATION FOR RELIEF

March 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to Atlantic Coast Line Railroad Company tariff I. C. C. No. B-3232 and Seaboard Air Line Railroad

Company tariff I. C. C. No. A-8153.
Commodities involved: Phosphate rock, crude, as described in the application, carloads.

From: Points in Florida.

To: Mobile, Ala.

Grounds for relief: Rail competition, water or water-rail competition, and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W LAIRD. Acting Secretary.

[F. R. Doc. 53-2288; Filed, Mar. 13, 1953; 8:47 a. m.]

[4th Sec. Application 27866]

GRAIN FROM THE MIDWEST TO MOBILE, ALA.

APPLICATION FOR RELIEF

March 11, 1953.

The Commission is in receipt of the above-entitled and numbered application

for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by . The Chicago, Rock Island and Pacific Railroad Company, for itself and on behalf of the Gulf, Mobile and Ohio Railroad Company and the Southern Railway Company.

Commodities involved: Grain, grain products and related articles, carloads, From: Albreight, Nebr., Atchison, Kans., Council Bluffs, Iowa, Kansas City,

Mo.-Kans., Omaha and South Omaha, Nebr., and St. Joseph, Mo.

To: Mobile, Ala., for export.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: CRI&P RR. tariff I. C. C. No. C-13346, Supp. 33.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W LAIRD, Acting Secretary.

[F. R. Doc. 53-2289, Filed, Mar. 13, 1953; 8:40 a. m.]

[4th Sec. Application 27867]

PULPBOARD AND FIBREBOARD FROM PHILA-DELPHIA AND PENCOYD, PA., WILMINGTON, DEL., AND BALTIMORE, MD., TO GREENS-BORO, N. C.

# APPLICATION FOR RELIEF

MARCH 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section  $\bar{4}$  (1) of the Interstate Commerce Act.

Filed by C. W Boin, Agent, for carriers parties to schedule listed below.

Commodities involved: Pulpboard and fibreboard, carloads.

From: Philadelphia and Pencoyd, Pa., Wilmington, Del., and Baltimore, Md.

To: Greensboro, N. C. Grounds for relief: Competition with

rail carriers and circuitous routes. - Schedules filed containing proposed

rates: C. W Boin, Agent, I. C. C. No. A-899, Supp. 7.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect. to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W LAIRD, Acting Secretary.

[F. R. Doc. 53-2290; Filed, Mar. 13, 1953; 8:48 a. m.]

[4th Sec. Application 27868]

SCRAP IRON FROM SOUTHERN TERRITORY TO DETROIT, MICH.

APPLICATION FOR RELIEF

March 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below. Commodities involved: Scrap iron or

steel, carloads.

From: Points in southern territory. To: Detroit, Mich.

Grounds for relief: Rail competition, circuity, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C.

No. 1329, Supp. 1.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, Acting Secretary.

[F. R. Doc. 53-2291; Filed, Mar. 13, 1953; 8:48 a. m.]

[4th Sec. Application 27869]

SUPERPHOSPHATE FROM BARTLESVILLE, OKLA., TO MARYSVILLE, KANS.

APPLICATION FOR RELIEP

MARCH 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for the Atchison, Topeka and Santa Fe Railway Company, Missouri-Kansas-Texas Railroad Company and Union Pacific Railroad Company.

Commodities involved: Superphosphate, carloads.

From: Bartlesville, Okla.

To: Marysville, Kans.

Grounds for relief: Rail competition, circuity, and to apply rates contracted on the basis of the short line distance

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C.

No. 3919, Supp. 152.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As pro-vided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W. LAIRD. Acting Secretary.

[F. R. Doc. 53-2292; Filed, Mar. 13, 1953; 8:48 a. m.l

[4th Sec. Application 27870]

PETROLEUM PRODUCTS IN WESTERN TRUNK LINE TERRITORY

APPLICATION FOR RELIEF

MARCH 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by C. J. Hennings, Alternate Agent, for carriers parties to schedules

listed below.

Commodities involved: Gasoline and other petroleum products, in tank-car

From: Refining, marine, and pipe line terminals in Illinois, Iowa, Michigan, Minnesota, Missouri, Nebraska, South Dakota, and Wisconsin.

To: Points in Illinois, Iowa, Michigan (upper peninsula), Minnesota, Missouri, Nebraska, South Dakota, and Wisconsin, within a radius of 300 miles of origins.

Grounds for relief: Rail and motor competition and circuitous routes.

Schedules filed containing proposed rates: Alternate Agent Henning's I. C. C. No. A-3790, Supp. 67 AT&SF Ry. I. C. C. No. 14555, Supp. 5, and various other tariffs named in the application.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission. in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W. LAIRD. Acting Secretary.

[F. R. Doc. 53-2293; Filed, Mar. 13, 1953; 8:48 a. m.]

[4th Sec. Application 27871]

CRUDE RUBBER FROM TEXAS AND LOUISIANA TO ALLYN'S POINT, CONN.

APPLICATION FOR RELIEF

March 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to schedules listed below.

Commodities involved: Rubber, crude, artificial, synthetic or neoprene, carloads.

From: Baytown, Borger, Houston, and Port Neches, Tex., Lake Charles and West Lake Charles, La.

To: Allyn's Point, Conn. Grounds for relief: Rail competition, circuitous routes, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed contaming proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3967, Supp. 210; F. C. Kratzmeir, Agent, I. C. C. No. 3906, Supp. 165.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise

the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W LAIRD, Acting Secretary.

[F. R. Doc. 53-2294; Filed, Mar. 13, 1953; 8:48 a. m.]

[4th Sec. Application 27872]

CRUDE RUBBER FROM TEXAS AND LOUISIANA TO CICERO AND MONTPELIER, IND.

APPLICATION FOR RELIEF

MARCH 11; 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for carriers parties to schedules listed below.

Commodities involved: Rubber, crude, artificial, synthetic, or neoprene, carloads.

From: Baytown, Borger, Houston, and Port Neches, Tex., Lake Charles and West Lake Charles, La.

To: Cicero and Montpelier, Ind.

Grounds for relief: Rail competition, circuitous routes, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F C. Kratzmeir, Agent, I. C. C. No. 3967, Supp. 210; F. C. Kratzmeir, Agent, I. C. C. No. 3906, Supp. 165.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because-of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

George W Laird,
Acting Secretary.

[F. R. Doc. 53-2295; Filed, Mar. 13, 1953; `8:49 a. m.] [4th Sec. Application 27873]

SULPHURIC ACID FROM FRONT ROYAL AND PULASKI, VA., TO GONZALES AND PENSA-COLA, FLA.

APPLICATION FOR RELIEF

MARCH 11, 1953,

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below. Commodities involved; Sulphuric acid,

in tank-car loads. From: Front Royal and Pulaski, Va.

To: Gonzales and Pensacola, Fla.
Grounds for relief: Competition with
rail carriers and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No.

1200, Supp. 80.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

George W Laird, Acting Secretary.

[F. R. Doc. 53-2296; Filed, Mar. 13, 1953; 8:49 a. m.]

[4th Sec. Application 27874]

Pig Iron From Rockwood, Tenn., to Ceico, Ohio

APPLICATION FOR RELIEF

MARCH 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Pig Iron, carloads.

From: Rockwood, Tenn.

To: Ceico, Ohio.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1136, Supp. 62.

Any interested person desiring the Commission to hold a hearing upon such

application shall request the Commission m writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

George W Laird, Acting Secretary.

[F. R. Doc. 53-2297; Filed, Mar. 13, 1953; 8:49 a. m.]

[4th Sec. Application 27875]

Superphosphate From Kansas City, Mo.-Kans., to Wichita, Kans.

APPLICATION FOR RELIEF

MARCH 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by C. J. Hennings, Alternate Agent, for the Midland Valley Railroad Company and Missouri-Kansas-Texas Railroad Company.

Commodities involved: Superphosphate (acid phosphate), other than ammoniated, carloads.

From: Kansas City, Mo.-Kans.

To: Wichita, Kans.

Grounds for relief: Competition with rail carriers and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to tho application. Otherwise the Commission, m its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearmg, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

George W LAIRD, Acting Secretary.

[F. R. Doc. 53-2298; Filed, Mar. 13, 1953; 8:49 a. m.]